

1 [Planning Code - Implementing the Western South of Market Area Plan]

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3 **Ordinance amending the Planning Code, by adding and amending various sections to**  
4 **implement the goals, objectives, and policies of the Western South of Market Area**  
5 **Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant**  
6 **Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th**  
7 **Street, and Townsend Street on the eastern portion of the plan area; and making**  
8 **findings, including environmental findings and findings of consistency with the**  
9 **General Plan and the Priority Policies of Planning Code, Section 101.1.**

10 NOTE: Additions are *single-underline italics Times New Roman*;  
11 deletions are ~~*strike-through italics Times New Roman*~~.  
12 Board amendment additions are double-underlined;  
13 Board amendment deletions are ~~strike-through normal~~.

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

15 Section 1. Findings.

16 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this  
17 Ordinance will serve the public necessity, convenience, and welfare for the reasons set forth  
18 in Planning Commission Resolution No. 18759, and incorporates those reasons herein by  
19 reference. A copy of said Planning Commission Resolution is on file with the Clerk of the  
20 Board of Supervisors in File No. 130002.

21 (b) The Board of Supervisors finds that this Ordinance is, on balance, consistent with  
22 the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons  
23 set forth in Planning Commission Resolution No. 130002, and incorporates those reasons  
24 herein by reference.

25 Planning Department  
**BOARD OF SUPERVISORS**

1 (c) In accordance with the actions contemplated herein, this Board adopted Ordinance  
2 No. \_\_\_\_\_, concerning findings pursuant to the California Environmental Quality  
3 Act (California Public Resources Code sections 21000 et seq.). A copy of said Ordinance is  
4 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
5 incorporated by reference herein.

6 (d) Notwithstanding any contrary technical requirements that may exist in the Planning  
7 or Administrative Codes, the Board hereby finds that the Planning Department provided  
8 adequate notice for all documents and decisions, including environmental documents, related  
9 to the Western SoMa Area Plan. This finding is based on the extensive mailed, posted,  
10 electronic, and published notices that the Planning Department provided. Copies of such  
11 notices are available for review through the Custodian of Records at the Planning  
12 Department, 1650 Mission Street, San Francisco.

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14 Section 2. The San Francisco Planning Code is hereby amended by amending  
15 Sections 121.1, 121.2, 121.7, 124, 134, 135, 141, 145.1, 151.1, 155, 182, 201, 204.4, 207.4,  
16 207.5, 207.6, 208, 270.2, 316, 329, 401, 423 et seq., 429.2, 607.1, 702.1, 703.2, 802.1,  
17 802.4, 802.5, 803.3, 803.6, 803.7, 803.9, 813, 823, and 890.88, deleting Section 803.7, and  
18 adding Sections 261.2, 263.28, 263.29, 703.9, 743, 744, 844, 845, 846, 847, and 890.81, to  
19 read as follows:

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21 **SEC. 121.1. DEVELOPMENT OF LARGE LOTS, NEIGHBORHOOD COMMERCIAL  
DISTRICTS.**

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District ...	Lot Size Limits
SoMa, <u>RCD, Folsom Street</u> ...	10,000 sq. ft.

...  
**SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD COMMERCIAL DISTRICTS.**  
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District	<u>Use Lot</u> Size Limits
... NC-2, NCT-2, SoMa, Ocean Avenue, Glen Park, <u>Folsom Street</u> ...	4,000 sq. ft.

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**SEC. 121.7. RESTRICTION OF LOT MERGERS IN RESIDENTIAL CERTAIN DISTRICTS AND ON PEDESTRIAN-ORIENTED STREETS.**

In order to promote, protect, and maintain a fine-grain scale of development in residential districts and on important pedestrian-oriented commercial streets which is appropriate to each district, compatible with adjacent buildings; provide for a diverse streetscape; ensure the maintenance and creation of multiple unique buildings and building frontages rather than large single structures superficially treated; promote diversity and multiplicity of land ownership and discourage consolidation of property under single ownership, merger of lots ~~in RTO and NCT Districts~~ are regulated as follows:

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 (b) In those NCT, ~~and~~ NC and Mixed Use Districts listed below, merger of lots resulting in a lot with street frontage greater than that stated in the table below on the specified streets or in the specified Districts is prohibited except according to the procedures and criteria in subsections (c) and (d) below.

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<b><u>Street or District</u></b>	<b>Lot Frontage Limit</b>
Hayes, from Franklin to Laguna	50 feet
<u>RED and RED-MX</u>	<u>50 feet</u>
Church Street, from Duboce to 16th Street	100 <u>feet</u>
<u>Folsom Street NCT, RCD, WMUG, WMUO, and SALI</u>	<u>100 feet</u>
Market, from Octavia to Noe ...	150 <u>feet</u>

...

**SEC. 124. BASIC FLOOR AREA RATIO.**

**TABLE 124**

**BASIC FLOOR AREA RATIO LIMITS**

<b>District</b>	<b>Basic Floor Area Ratio Limit</b>
...	
RED, <u>RED-MX</u> ...	1.0 to 1
...	
<u>Folsom Street</u>	2.5 to 1
<u>RCD</u> ...	

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<p>MUG, MUO, MUR, UMU, <u>WMUG</u>, <u>WMUO</u>, <u>SALI</u>, PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 40, 45, or 48 foot height district</p>	<p>3.0 to 1</p>
<p>MUG, MUO, MUR, UMU, <u>WMUG</u>, <u>WMUO</u>, <u>SALI</u>, PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 50, 55, or 58 foot height district</p>	<p>4.0 to 1</p>
<p>MUG, MUO, MUR, UMU, <u>WMUG</u>, <u>WMUO</u>, <u>SALI</u>, PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 65 or 68 foot height district</p>	<p>5.0 to 1</p>
<p>MUG, MUO, MUR, UMU, <u>WMUG</u>, <u>WMUO</u>, <u>SALI</u>, PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 85 foot height district</p>	<p>6.0 to 1</p>
<p>MUG, MUO, MUR, UMU, <u>WMUG</u>, <u>WMUO</u>, <u>SALI</u>, PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a height district over 85 feet</p>	<p>7.5 to 1</p>

**SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-MX, RSD, SLR, SLI AND SSO DISTRICTS.**

1 The rear yard requirements established by this Section 134 shall apply to every  
2 building in an R, NC-1, NC-2 District or Individual Neighborhood Commercial District as noted  
3 in Subsection (a), except those buildings which contain only single room occupancy (SRO) or  
4 live/work units and except in the Bernal Heights Special Use District, Western SoMa Special Use  
5 District, and Residential Character Districts to the extent these provisions are inconsistent with  
6 the requirements set forth in Sections 242 and 823 of this Code. With the exception of  
7 dwellings in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts  
8 containing only SRO units, the rear yard requirements of this Section 134 shall also apply to  
9 every dwelling in a(n) MUG, WMUG, MUO, MUR, UMU, SPD, RED, RED-MX, RSD, SLR, SLI,  
10 SSO, NC-2, NCT-1, NCT-2, NC-3, NCT-3, Individual Area Neighborhood Commercial Transit  
11 District, Individual Neighborhood Commercial District as noted in Subsection (a), C or M  
12 District. Rear yards shall not be required in NC-S Districts. These requirements are intended  
13 to assure the protection and continuation of established midblock, landscaped open spaces,  
14 and maintenance of a scale of development appropriate to each district, consistent with the  
15 location of adjacent buildings.

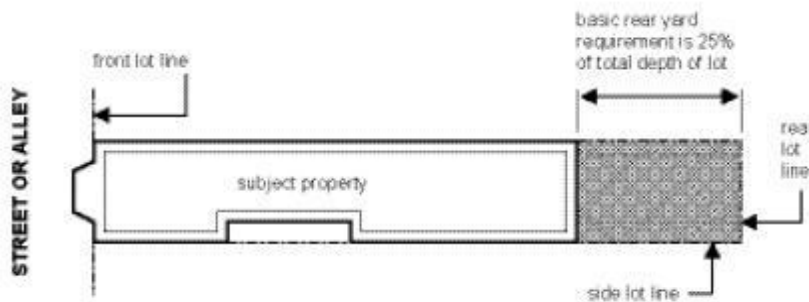
16 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the  
17 districts indicated:

18 (1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C, M,**  
19 **MUG, WMUG, MUO, MUR, UMU, RED, RED-MX, SPD, RSD, SLR, SLI and SSO Districts.**

20 The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on  
21 which the building is situated, but in no case less than 15 feet. For buildings containing only  
22 SRO units in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts,  
23 the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which  
24 the building is situated, but the required rear yard of SRO buildings not exceeding a height of  
25 65 feet shall be reduced in specific situations as described in Subsection (c) below.

1 (A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, NCT-1, Inner  
2 Sunset, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley,  
3 and West Portal Avenue Districts. Rear yards shall be provided at grade level and at each  
4 succeeding level or story of the building.

5 (B) NC-2, NCT-2, Ocean Avenue, Castro Street, Inner Clement Street,  
6 Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission,  
7 and Glen Park, RCD and Folsom Street Districts. Rear yards shall be provided at the second  
8 story, and at each succeeding story of the building, and at the first story if it contains a  
9 dwelling unit.



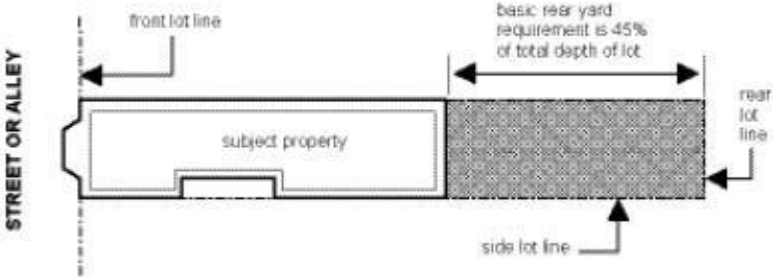
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16 (C) RC-2, RC-3, RC-4, NC-3, NCT-3, Broadway, Hayes-Gough, NCT,  
17 Upper Market Street, Upper Market Street NCT, SoMa, NCT, Mission Street, NCT, Polk  
18 Street, Pacific Avenue, C, M, RED, SPD, RSD, SLR, SLI, SSO, MUR, MUG, MUO, and UMU  
19 Districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at  
20 each succeeding level or story of the building. In the Hayes-Gough NCT, lots fronting the east  
21 side of Octavia Boulevard between Linden and Market Streets (Central Freeway Parcels L, M,  
22 N, R, S, T, U, and V) are not required to provide rear yards at any level of the building,  
23 provided that the project fully meets the usable open space requirement for dwelling units per  
24 Section 135 of this Code, the exposure requirements of Section 140, and gives adequate  
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1 architectural consideration to the light and air needs of adjacent buildings given the  
2 constraints of the project site.

3 (D) **Upper Market NCT and Upper Market NCD.** Rear yards shall be  
4 provided at the grade level, and at each succeeding story of the building. For buildings in the  
5 Upper Market NCT that do not contain residential uses and that do not abut adjacent lots with  
6 an existing pattern of rear yards or mid-block open space, the Zoning Administrator may  
7 waive or reduce this rear yard requirement pursuant to the procedures of subsection (e).

8 (E) **RED, RED-MX and WMUG Districts.** Rear yards shall be provided  
9 at the ground level for any building containing a dwelling unit, and at each succeeding level or  
10 story of the building.

11 (2) **RH-2, RH-3, RTO, RTO-M, RM-1 and RM-2 Districts.** The minimum rear  
12 yard depth shall be equal to 45 percent of the total depth of the lot on which the building is  
13 situated, except to the extent that a reduction in this requirement is permitted by Subsection  
14 (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of  
15 the building.



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22 (c) **Reduction of Requirements in RH-2, RH-3, RTO, RTO-M, RM-1 and RM-2**  
23 **Districts.** The rear yard requirement stated in Paragraph (a)(2) above, for RH-2, RH-3, RTO,  
24 RTO-M, RM-1 and RM-2 Districts, and as stated in Paragraph (a)(1) above, for single room  
25 occupancy buildings located in either the South of Market Mixed Use or Eastern



1 Neighborhoods Mixed Use Districts not exceeding a height of 65 feet, shall be reduced in  
2 specific situations as described in this Subsection (c), based upon conditions on adjacent lots.  
3 Except for those SRO buildings referenced above in this paragraph whose rear yard can be  
4 reduced in the circumstances described in Subsection (c) to a 15-foot minimum, under no  
5 circumstances, shall the minimum rear yard be thus reduced to less than a depth equal to 25  
6 percent of the total depth of the lot on which the building is situated, or to less than 15 feet,  
7 whichever is greater.

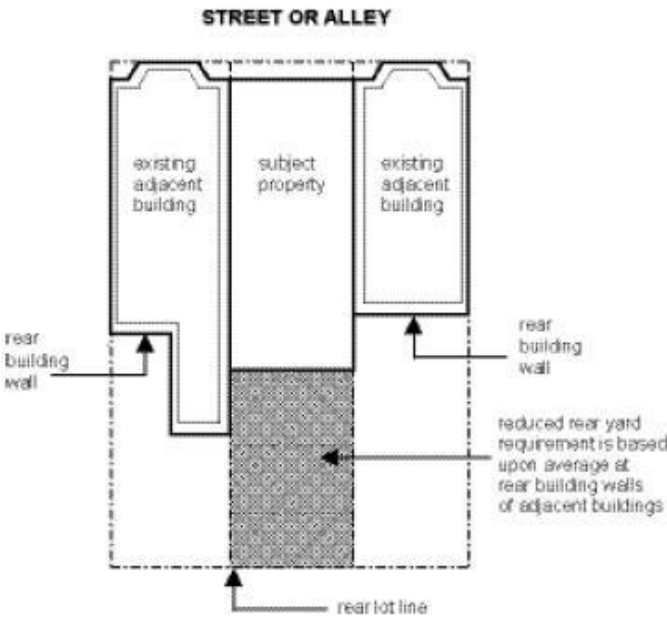
8 (1) **General Rule.** In such districts, the forward edge of the required rear yard  
9 shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an  
10 average between the depths of the rear building walls of the two adjacent buildings. Except for  
11 single room occupancy buildings in the South of Market Mixed Use Districts, in any case in  
12 which a rear yard requirement is thus reduced, the last 10 feet of building depth thus  
13 permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by  
14 Section 260 of this Code, or to such lesser height as may be established by Section 261 of  
15 this Code.

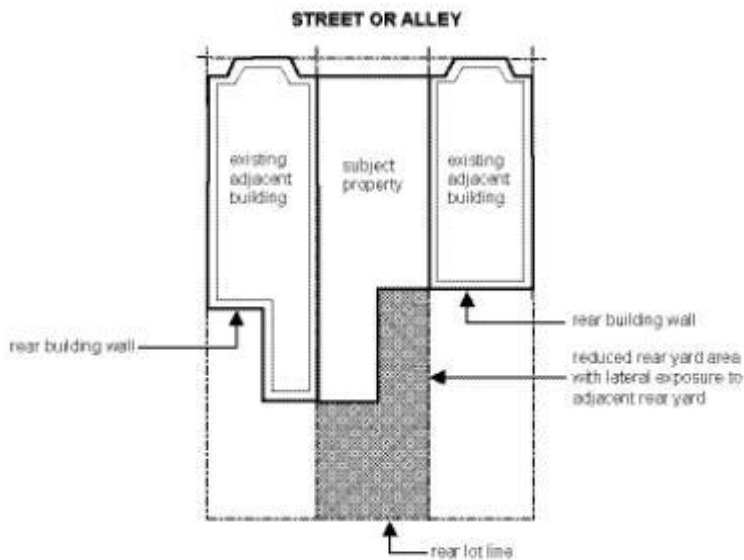
16 (2) **Alternative Method of Averaging.** If, under the rule stated in Paragraph  
17 (c)(1) above, a reduction in the required rear yard is permitted, the reduction may alternatively  
18 be averaged in an irregular manner; provided that the area of the resulting reduction shall be  
19 no more than the product of the width of the subject lot along the line established by  
20 Paragraph (c)(1) above times the reduction in depth of rear yard permitted by Paragraph  
21 (c)(1); and provided further that all portions of the open area on the part of the lot to which the  
22 rear yard reduction applies shall be directly exposed laterally to the open area behind the  
23 adjacent building having the lesser depth of its rear building wall.

24 (3) **Method of Measurement.** For purposes of this Subsection (c), an "adjacent  
25 building" shall mean a building on a lot adjoining the subject lot along a side lot line. In all

1 cases the location of the rear building wall of an adjacent building shall be taken as the line of  
 2 greatest depth of any portion of the adjacent building which occupies at least 1/2 the width  
 3 between the side lot lines of the lot on which such adjacent building is located, and which has  
 4 a height of at least 20 feet above grade, or two stories, whichever is less, excluding all  
 5 permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining  
 6 the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an  
 7 RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, RED, RED-MX, MUG, WMUG, MUR, UMU, SPD,  
 8 RSD, SLR, SLI, SSO, NC, C, M or P District, such adjoining lot shall, for purposes of the  
 9 calculations in this Subsection (c), be considered to have an adjacent building upon it whose  
 10 rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

11 (4) **Applicability to Special Lot Situations.** In the following special lot  
 12 situations, the general rule stated in Paragraph (c)(1) above shall be applied as provided in  
 13 this Paragraph (c)(4), and the required rear yard shall be reduced if conditions on the adjacent  
 14 lot or lots so indicate and if all other requirements of this Section 134 are met.





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(A) **Corner Lots and Lots at Alley Intersections.** On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.

(B) **Lots Abutting Properties with Buildings that Front on Another Street or Alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.

1 (C) **Through Lots Abutting Properties that Contain Two Buildings.**

2 Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a  
3 street and an alley, and both adjoining lots are also through lots, each containing two  
4 dwellings or group housing structures that front at opposite ends of the lot, the subject through  
5 lot may also have two buildings according to such established pattern, each fronting at one  
6 end of the lot, provided all the other requirements of this Code are met. In such cases the rear  
7 yard required by this Section 134 for the subject lot shall be located in the central portion of  
8 the lot, between the two buildings on such lot, and the depth of the rear wall of each building  
9 from the street or alley on which it fronts shall be established by the average of the depths of  
10 the rear building walls of the adjacent buildings fronting on that street or alley. In no case,  
11 however, shall the total minimum rear yard for the subject lot be thus reduced to less than a  
12 depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet,  
13 whichever is greater. Furthermore, in all cases in which this Subparagraph (c)(4)(C) is  
14 applied, the requirements of Section 132 of this Code for front setback areas shall be  
15 applicable along both street or alley frontages of the subject through lot.

16 . . .

17 (f) **Modification of Requirements in the Eastern Neighborhoods Mixed Use**  
18 **Districts.** The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be  
19 modified or waived by the Planning Commission pursuant to Section 329, ~~and~~ *The rear yard*  
20 *requirement in Eeastern Neighborhoods Mixed Use Districts may be* modified by the Zoning  
21 Administrator pursuant to the procedures set forth in Section 307(h) for other projects,  
22 provided that:

23 (1) A comparable, but not necessarily equal amount of square footage as  
24 would be created in a code conforming rear yard is provided elsewhere within the  
25 development;

(2) The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties; and

(3) The modification request is not combined with any other residential open space modification or exposure variance for the project, except exposure modifications in designated landmark buildings under Section 307(h)(1).

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

...

<b>TABLE 135A            MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING            OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT</b>		
<b>District</b>	<b>Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private</b>	<b>Ratio of Common Usable Open Space That May Be Substituted for Private</b>
...		
NC-3, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street- Mission, 24th Street-Noe Valley, NCT-3, SoMa, Mission Street, <i>Folsom</i>	80	1.33

<i>Street, RCD</i>		
...		

**SEC. 141. SCREENING OF ROOFTOP FEATURES R, NC, C, M, MUG, WMUG, MUO, WMUO, MUR, UMU, RED, RED-MX, DTR, SPD, RSD, SLR, SLI, SALI AND SSO DISTRICTS.**

(a) In R, SPD, RSD, NC, C, M, MUG, WMUG, MUO, WMUO, MUR, UMU, RED, RED-MX, SLR, SLI, SALI and SSO Districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

...

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

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

In NC-S Districts, the applicable frontage shall be the primary facade(s) which contain customer entrances to commercial spaces.

1                   **(1) Above-Grade Parking Setback.** Off-street parking at street grade on a  
2 development lot must be set back at least 25 feet on the ground floor and at least 15 feet on  
3 floors above, from any facade facing a street at least 30 feet in width. Parking above the  
4 ground level shall be entirely screened from all public rights-of-way in a manner that  
5 accentuates ground floor uses, minimizes mechanical features and is in keeping with the  
6 overall massing and architectural vocabulary of the building. In C-3 Districts, parking above  
7 the ground level, where permitted, shall also be designed to facilitate conversion to other uses  
8 by maintaining level floors and a clear ceiling height of nine feet or equal to that of the  
9 adjacent street-fronting active uses, whichever is greater. Removable parking ramps are  
10 excluded from this requirement.

11                   The following shall apply to projects subject to this section:

12                               (A) when only one parking space is permitted. if a space is proposed it  
13 must be within the first 25 feet of the building;

14                               (B) when two or more parking spaces are proposed, one space may be  
15 within the first 25 feet of the building;

16                               (C) when three or more parking spaces are proposed, all parking spaces  
17 must be set back at least 25 feet from the front of the development.

18                   **(2) Parking and Loading Entrances.** No more than one-third of the width or 20  
19 feet, whichever is less, of any given street frontage of a new or altered structure parallel to  
20 and facing a street shall be devoted to parking and loading ingress or egress. In NC-S  
21 Districts, no more than one-third or 50 feet, whichever is less, of each lot frontage shall be  
22 devoted to ingress/egress of parking. In RED Districts, no more than one garage door shall be  
23 permitted per lot, and the garage door shall be limited to no more than 10 feet in width. Street-facing  
24 garage structures and garage doors may not extend closer to the street than a primary  
25 building facade unless the garage structure and garage door are consistent with the features

1 listed in Section 136 of this Code. The total street frontage dedicated to parking and loading  
2 access should be minimized, and combining entrances for off-street parking with those for off-  
3 street loading is encouraged. The placement of parking and loading entrances should  
4 minimize interference with street-fronting active uses and with the movement of pedestrians,  
5 cyclists, public transit, and autos. Entrances to off-street parking shall be located at least six  
6 feet from a lot corner located at the intersection of two public rights-of-way. Off-street parking  
7 and loading entrances should minimize the loss of on-street parking and loading spaces. Off-  
8 street parking and loading are also subject to the provisions of Section 155 of this Code. In C-  
9 3 Districts, so as not to preclude the conversion of parking space to other uses in the future,  
10 parking at the ground-level shall not be sloped, and the floor shall be aligned as closely as  
11 possible to sidewalk level along the principal pedestrian frontage and/or to those of the street-  
12 fronting commercial spaces and shall have a minimum clear ceiling height of 14 feet or equal  
13 to that of street-fronting commercial spaces, whichever is greater. Removable parking ramps  
14 are excluded from this requirement.

15 (3) **Active Uses Required.** With the exception of space allowed for parking and  
16 loading access, building egress, and access to mechanical systems, space for active uses as  
17 defined in Subsection (b)(2) and permitted by the specific district in which it is located shall be  
18 provided within the first 25 feet of building depth on the ground floor and 15 feet on floors  
19 above from any facade facing a street at least 30 feet in width. Building systems including  
20 mechanical, electrical, and plumbing features may be exempted from this requirement by the  
21 Zoning Administrator only in instances where those features are provided in such a fashion as  
22 to not negatively impact the quality of the ground floor space.

23 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere in  
24 this Code:  
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1 (A) Ground floor non-residential uses in UMU Districts shall have a  
2 minimum floor-to-floor height of 17 feet, as measured from grade.

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

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

10 (5) **Street-Facing Ground-Level Spaces.** The floors of street-fronting interior  
11 spaces housing non-residential active uses and lobbies shall be as close as possible to the  
12 level of the adjacent sidewalk at the principal entrance to these spaces. Street-facing ground-  
13 level spaces housing non-residential active uses in hotels, office buildings, shopping centers,  
14 and other large buildings shall open directly onto the street, rather than solely into lobbies and  
15 interior spaces of the buildings. Such required street-facing entrances shall remain open to  
16 the public during business hours.

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

24 (7) **Gates, Railings, and Grillwork.** Any decorative railings or grillwork, other  
25 than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75

1 percent open to perpendicular view. Rolling or sliding security gates shall consist of open  
 2 grillwork rather than solid material, so as to provide visual interest to pedestrians when the  
 3 gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both  
 4 open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid  
 5 flush with, the building facade.

6 . . .

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

9 (a) **Applicability.** This subsection shall apply only to DTR, NCT, RCD, Upper Market  
 10 Street NCD, RTO, Eastern Neighborhood Mixed Use, South of Market Mixed Use, M-1, PDR-  
 11 1-D, and PDR-1-G, C-M, or C-3 Districts.

12 . . .

13 **Table 151.1**  
 14 **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
. . . Dwelling units and SRO units in SLI, <u>SALI</u> , SSO, MUG, <u>WMUG</u> , MUR, MUO, <u>WMUO</u> , SPD Districts, except as specified below	P up to one car for each four dwelling units; <u>C</u> up to 0.75 cars for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.
Dwelling units in SLI, <u>SALI</u> , SSO, MUG, <u>WMUG</u> , MUR, MUO, <u>WMUO</u> , SPD Districts with at least 2 bedrooms and at least 1,000 square feet of occupied floor area	P up to one car for each four dwelling units; <u>C</u> up to one car for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP above one car for each dwelling unit.
. . . Dwelling units in the Ocean Avenue	P up to one car for each unit; NP

1 2 3 4	NCT Districts and Glen Park NCT District  <u>Dwelling units in the Folsom Street NCT and RCD Districts</u>	above.  <u>P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.</u>
5 6 7	Dwelling units and SRO units in RTO <u>and RED and RED-MX</u> Districts, except as specified below	P up to three cars for each four dwelling units; C up to one car for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above one car for each dwelling unit.
8 9 10	...  All office uses in C-3, DTR, C-M, SSO, SPD, MUG, <u>WMUG</u> , MUR, and <u>WMUO</u> MUO Districts	P up to seven percent of the gross floor area of such uses and subject to the pricing conditions of Section 155(g); NP above.
11 12	Office uses in M-1, UMU, <u>SALI</u> , PDR-1-D, and PDR-1-G Districts, except as specified below	P up to one car per 1,000 square feet of gross floor area and subject to the pricing conditions of Section 155(g); NP above.
13 14 15 16	Office uses in M-1, UMU, <u>SALI</u> , PDR-1-D, and PDR-1-G Districts where the entire parcel is greater than ¼-mile from Market, Mission, 3rd Streets and 4th Street north of Berry Street  ...	P up to one car per 500 square feet of gross floor area; NP above.

17  
18  
19 ...

(g) In RTO, NCT, C-M, and South of Market Mixed Use Districts, and the Upper Market Street NCD, RED, RED-MX, and WMUG, any request for accessory parking in excess of what is principally permitted in Table 151.1, but which does not exceed the maximum amount stated 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 excess of that which is principally permitted in Table 151.1, but which does not exceed the maximum amount stated in Table

1 151.1, shall be reviewed by the Planning Commission according to the procedures of Section  
2 329. Projects that are not subject to Section 329 shall be reviewed under the procedures  
3 detailed in subsection (h) below.

4 (1) In granting such Conditional Use or exception per 329 for parking in excess  
5 of that principally permitted in Table 151.1, the Planning Commission shall make the following  
6 affirmative findings according to the uses to which the proposed parking is accessory:

7 (A) **Parking for All Uses.**

8 (i) Vehicle movement on or around the project does not unduly  
9 impact pedestrian spaces or movement, transit service, bicycle movement, or the overall  
10 traffic movement in the district;

11 (ii) Accommodating excess accessory parking does not degrade  
12 the overall urban design quality of the project proposal;

13 (iii) All above-grade parking is architecturally screened and lined  
14 with active uses according to the standards of Section 145.1, and the project sponsor is not  
15 requesting any exceptions or variances requiring such treatments elsewhere in this Code; and

16 (iv) Excess accessory parking does not diminish the quality and  
17 viability of existing or planned streetscape enhancements.

18 (B) **Parking for Residential Uses.**

19 (i) For projects with 50 dwelling units or more, all residential  
20 accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by  
21 mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for  
22 parking and maneuvering, and maximizes other uses.

23 (C) **Parking for Non-Residential Uses.**

24 (i) Projects that provide more than 10 spaces for non-residential  
25 uses must dedicate 5% of these spaces, rounded down to the nearest whole number, to

1 short-term, transient use by vehicles from certified car sharing organizations per Section 166,  
2 vanpool, rideshare, taxis, or other co-operative auto programs. These spaces shall not be  
3 used for long-term storage nor satisfy the requirement of Section 166, but rather to park them  
4 during trips to commercial uses. These spaces may be used by shuttle or delivery vehicles  
5 used to satisfy subsection (B).

6 (ii) Retail uses larger than 20,000 square feet, including but not  
7 limited to grocery, hardware, furniture, consumer electronics, greenhouse or nursery, and  
8 appliance stores, which sell merchandise that is bulky or difficult to carry by hand or by public  
9 transit, shall offer, at minimal or no charge to its customers, door-to-door delivery service  
10 and/or shuttle service. This is encouraged, but not required, for retail uses less than 20,000  
11 square feet.

12 (iii) Parking shall be limited to short-term use only.

13 (iv) Parking shall be available to the general public at times when  
14 such parking is not needed to serve the use or uses to which it is accessory.

15 (2) Additionally, in granting approval for such accessory parking above that  
16 permitted by right, the Commission may require the property owner to pay the annual  
17 membership fee to a certified car-share organization, as defined in Section 166(b)(2), for any  
18 resident of the project who so requests and who otherwise qualifies for such membership,  
19 provided that such requirement shall be limited to one membership per dwelling unit, when the  
20 findings set forth in Section 151.1(e)(2) are made.

21 (h) **Small residential projects in MUG, WMUG, MUR, MUO, WMUO, RED, RED-MX**  
22 **and SPD Districts.** Any project that is not subject to the requirements of Section 329 and that  
23 requests residential accessory parking in excess of what is principally permitted in Table  
24 151.1 shall be reviewed by the Zoning Administrator subject to Section 307(h). The Zoning  
25 Administrator may grant parking in excess of what is principally permitted in Table 151.1, not

1 to exceed the maximum amount stated in Table 151.1, only if the Zoning Administrator  
2 determines that all of the following conditions are met:

3 (1) all the conditions of subsection (g)(1)(A) above have been met.

4 (2) parking is not accessed from any protected Transit or Pedestrian Street  
5 described in Section 155(r), and

6 (3) where more than ten spaces are proposed at least half of them, rounded  
7 down to the nearest whole number, are stored and accessed by mechanical stackers or lifts,  
8 valet, or other space-efficient means that reduces space used for parking and maneuvering,  
9 and maximizes other uses.

10 . . .

11  
12 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF  
OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

13 . . .

14 (d) All off-street freight loading and service vehicle spaces in the C-3, DTR, MUO,  
15 WMUO, MUG, WMUG, MUR, and South of Market Mixed Use Districts shall be completely  
16 enclosed and access from a public street or alley shall be provided by means of a private  
17 service driveway, which is totally contained within the structure. Such a private service  
18 driveway shall include adequate space to maneuver trucks and service vehicles into and out  
19 of all provided spaces, and shall be designed so as to facilitate access to the subject property  
20 while minimizing interference with street and sidewalk circulation. Any such private service  
21 driveway shall be of adequate width to accommodate drive-in movement from the adjacent  
22 curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if  
23 an adjacent street or alley is determined by the Zoning Administrator to be primarily used for  
24 building service, up to four off-street freight or loading spaces may be allowed to be  
25 individually accessible directly from such a street or alley, pursuant to the provisions of

1 Section 309 in a C-3 District, the provisions of Section 307(g) in a South of Market Mixed Use  
2 District, the provisions of Section 309.1 in a DTR District, the provisions of Section 329 for  
3 projects subject to Section 329 in a MUO, WMUO, MUG, WMUG, or MUR District, or by  
4 administrative decision of the Zoning Administrator for projects that are not subject to Section  
5 329 in a MUO, WMUO, MUG, WMUG, or MUR District.

6 . . .

7 (g) In order to discourage long-term commuter parking, any off-street parking spaces  
8 provided for a structure or use other than residential or hotel in a C-3, C-M, DTR, SLR, SSO,  
9 SPD, MUG, WMUG, MUR WMUO or MUO District, whether classified as an accessory or  
10 conditional use, which are otherwise available for use for long-term parking by downtown  
11 workers shall maintain a rate or fee structure for their use such that the rate charge for four  
12 hours of parking duration is no more than four times the rate charge for the first hour, and the  
13 rate charge for eight or more hours of parking duration is no less than 10 times the rate  
14 charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly,  
15 monthly or similar time-specific periods.

16 . . .

17 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In  
18 order to preserve the pedestrian character of certain downtown and neighborhood commercial  
19 districts and to minimize delays to transit service, garage entries, driveways or other vehicular  
20 access to off-street parking or loading (except for the creation of new publicly-accessible  
21 streets and alleys) shall be regulated on development lots as follows on the following street  
22 frontages:

23 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except  
24 as set forth in Section 827.

25 (2) Not permitted:

- 1 (A) The entire portion of Market Street from The Embarcadero to Castro  
2 Street,
- 3 (B) Hayes Street from Franklin Street to Laguna Street, Church Street in  
4 the NCT-3 and Upper Market NCT Districts,
- 5 (C) Van Ness Avenue from Hayes Street to Mission Street,
- 6 (D) Mission Street from The Embarcadero to Annie Street and from 10th  
7 Street to Division Street,
- 8 (E) Octavia Street from Hayes Street to Fell Street,
- 9 (F) Embarcadero in the DTR Districts,
- 10 (G) 22nd Street between 3rd Street and Minnesota Streets within the  
11 NCT-2 District,
- 12 (H) Valencia Street between 15th and 23rd Streets in the Valencia Street  
13 NCT District,
- 14 (I) Mission Street for the entirety of the Mission Street NCT District,
- 15 (J) 24th Street for the entirety of the 24th Street-Mission NCT,
- 16 (K) 16th Street between Guerrero and Capp Streets within the Valencia  
17 Street NCT and Mission Street NCT Districts,
- 18 (L) 16th Street between Kansas and Mississippi Streets in the UMU and  
19 PDR-1-D Districts,
- 20 (M) 6th Street for its entirety within the SoMa NCT District,
- 21 (N) 3rd Street, in the UMU districts for 100 feet north and south of  
22 Mariposa and 100 feet north and south of 20th Streets, and 4th Street between Bryant and  
23 Townsend in the SLI and MUO District,
- 24 (O) Ocean Avenue within the Ocean Avenue NCT District,
- 25



- 1 (P) Geneva Avenue from I-280 to San Jose Avenue within the NCT-2  
2 District,  
3 (Q) Columbus Avenue between Washington and North Point Streets,  
4 (R) Broadway from the Embarcadero on the east to Polk Street on the  
5 west, and  
6 (S) All alleyways in the Chinatown Mixed Use Districts,  
7 (T) Diamond Street within the Glen Park NCT District,  
8 (U) Chenery Street within the Glen Park NCT District,  
9 (V) Natoma Street from 300 feet westerly of 1st Street to 2nd Street,  
10 (W) Ecker Alley in its entirety,  
11 (X) Shaw Alley in its entirety,  
12 (Y) 2nd Street from Market to Folsom Streets.

13 (3) Not permitted except with a Conditional Use authorization, except that in the  
14 C-3-O(SD) District, the Planning Commission may grant such permission as an exception  
15 pursuant to Section 309 in lieu of a Conditional Use authorization where the amount of  
16 parking proposed does not exceed the amounts permitted as accessory according to Section  
17 151.1.

- 18 (A) The entire portion of California Street, The Embarcadero, Folsom  
19 Street, Geary Street, Mission Street, Powell Street and Stockton Street in the C-3 Districts,  
20 (B) Grant Avenue from Market Street to Bush Street,  
21 (C) Montgomery Street from Market Street to Columbus Avenue,  
22 (D) Haight Street from Market Street to Webster Street,  
23 (E) Church Street and 16th Street in the RTO District,  
24 (F) Duboce Street from Noe Street to Market Street,  
25 (G) Duboce Street from Noe Street to Market Street,

1 (H) Octavia Street from Fell Street to Market Street, and

2 (I) 1st, Fremont and Beale Streets from Market to Folsom Street.

3 (4) In C-3, NCT and RTO Districts, no curb cuts accessing off-street parking or  
4 loading shall be created or utilized on street frontages identified along any Transit Preferential,  
5 Citywide Pedestrian Network or Neighborhood Commercial Streets as designated in the  
6 Transportation Element of the General Plan or official City bicycle routes or bicycle lanes,  
7 where an alternative frontage is available. For bicycle lanes, the prohibition on curb cuts  
8 applies to the side or sides of the street where bicycle lanes are located; for one-way bicycle  
9 routes or lanes, the prohibition on curb cuts shall apply to the right side of the street only,  
10 unless the officially adopted alignment is along the left side of the street. Where an alternative  
11 frontage is not available, parking or loading access along any Transit Preferential, Citywide  
12 Pedestrian Network or Neighborhood Commercial Streets as designated in the Transportation  
13 Element of the General Plan or official City bicycle lane or bicycle route, may be allowed on  
14 streets not listed in subsection (2) above as an exception in the manner provided in Section  
15 309 for C-3 Districts and in Section 303 for NCT and RTO Districts in cases where it can be  
16 clearly demonstrated that the final design of the parking access minimizes negative impacts to  
17 transit movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.

18 (5) For corner lots in the SALI District, no new curb cut shall be permitted, nor any  
19 existing curb cut expanded, on any Street or Alley identified as an alley in the Western SoMa Area Plan  
20 of the General Plan if any property on the same block with frontage along that Street or Alley is  
21 designated as a RED or RED-MX District.

22 (~~5~~6) A "development lot" shall mean any lot containing a proposal for new  
23 construction, building alterations which would increase the gross square footage of a structure  
24 by 20 percent or more, or change of use of more than 50 percent of the gross floor area of a  
25

1 structure containing parking. Pre-existing access to off-street parking and loading on  
2 development lots that violates the restrictions of this Section 155(r) may not be maintained.

3 . . .

4 **SEC. 175.5. APPLICABILITY OF WESTERN SOMA CONTROLS TO PENDING PROJECTS IN**  
5 **THE WMUO DISTRICT.**

6 *(a) Intent. It is the intent of this Section to provide for an orderly transition from prior*  
7 *zoning and planning requirements to the requirements imposed in implementing the Western SoMa*  
8 *Controls, without impairing the validity of prior actions by the City, or frustrating completion of*  
9 *actions authorized prior to the effective date of those Controls.*

10 *(b) Applicability. This Section applies only to projects located in a WMUO District within*  
11 *the boundaries of the Eastern Neighborhoods Program Area as defined in Section 401 that have a*  
12 *Development Application pending as of August 14, 2008. Notwithstanding any contrary provision in*  
13 *this Section, if a project does not receive its first building or site permit within 36 months after the*  
14 *effective date of the Western SoMa Controls, then it shall be subject to all applicable Planning Code*  
15 *and Zoning Maps controls in effect at the date its first building or site permit is issued. The 36-month*  
16 *time period is extended until the expiration of any appeal period, or if an appeal or litigation*  
17 *challenging the project authorization is filed, until final resolution of the appeal or litigation.*

18 *(c) Definitions. The following definitions shall apply to this Section:*

19 *(1) "Code Conforming Project" shall mean a project which complies with the*  
20 *Planning Code prior to the effective date of the Western SoMa controls.*

21 *(2) "Development Application" shall mean any application for a building permit,*  
22 *site permit, environmental review, Conditional Use or Variance.*

23 *(3) "Pending," with respect to a Development Application, shall mean first filed*  
24 *with the Planning Department on the date specified in Section (b) above for a project that has not*  
25 *obtained a Project Approval prior to the effective date of the Western SoMa Controls.*

1                   (4) “Project Approval” shall mean any required approval or determination on a  
2 Development Application by the Planning Commission, Planning Department, or Zoning  
3 Administrator.

4                   (5) “Residential Project” shall mean any project which includes at least one  
5 dwelling unit, group housing bedroom, or other residential use or uses.

6                   (6) “Western SoMa Controls” shall mean all Ordinances adopted in furtherance of  
7 the Western SoMa Area Plan Process, including but not limited to Ordinance Numbers \_\_\_\_\_,  
8 and \_\_\_\_\_, and associated amendments to the Planning Code, Zoning Map, and Administrative Code.

9                   **(d) Effect of Western SoMa Controls on pending Residential Code Conforming Projects.**

10                  (1) Articles 1, 1.2, 1.5, and 2.5 of the Planning Code as amended by the Western  
11 SoMa Controls shall apply; and

12                  (2) The impact fees set forth in Section 423 et seq. shall apply; and

13                  (3) The Planning Director may grant an increase beyond the otherwise-superseded  
14 height limits of no more than 8 feet when an equal or greater increase would be allowed under the  
15 Western SoMa Controls and when such increase is necessary to comply with Subsection (d)(1), above;  
16 and

17                  (4) If compliance with Subsection (d)(1) would require a substantial re-design of the  
18 project or a significant change to the type or size of uses originally proposed, the applicant may seek  
19 complete or partial relief from that requirement through the Conditional Use authorization process as  
20 set forth in Section 303; and

21                  (5) For proposed Residential Projects where such uses are not permitted under the  
22 Western SoMa Controls, Subsection (d)(1), above shall apply as if the residential use were located in  
23 an Western SoMa Mixed Use General (WMUG) District.

1       **SEC. 182. NONCONFORMING USES: CHANGES OF USE.**

2           The following provisions shall apply to nonconforming uses with respect to changes of  
3 use:

4           (a) A nonconforming use shall not be changed or modified so as to increase the degree  
5 of nonconformity under the use limitations of this Code, with respect to the type of use or its  
6 intensity except as provided in Section 181 for nighttime entertainment activities within the  
7 RSD, MUG, MUR, or SLR Districts ~~and in Subsection (f) below~~. The degree of nonconformity  
8 shall be deemed to be increased if the new or modified use is less widely permitted by the use  
9 districts of the City than the nonconforming use existing immediately prior thereto.

10          (b) Except as limited in this Subsection, a nonconforming use may be reduced in size,  
11 extent or intensity, or changed to a use that is more widely permitted by the use districts of the  
12 City than the existing use, subject to the other applicable provisions of this Code. Except as  
13 otherwise provided herein, the new use shall still be classified as a nonconforming use.

14           (1) A nonconforming use in a Residential District (other than a Residential-  
15 Commercial Combined District ~~or an RED District~~), which use is located more than ¼ mile from  
16 the nearest Individual Area Neighborhood Commercial District or Restricted Use Subdistrict  
17 described in Article 7 of this Code, may change to another use which is permitted as a  
18 principal use at the first story and below in an NC-1 District, or it may change to another use  
19 which is permitted as a conditional use at the first story and below in an NC-1 District only  
20 upon approval of a conditional use application pursuant to the provisions of Article 3 of this  
21 Code. If the nonconforming use is seeking to change in use to a retail sales activity or retail  
22 sales establishment which is also a formula retail use, as defined in Section 703.3 of this  
23 Code, it shall comply with the provisions of Section 703.3 of this Code. The nonconforming  
24 use shall comply with other building standards and use limitations of NC-1 Districts, as set  
25 forth in Sections 710.10 through 710.95 of this Code.

1           If the nonconforming use is located within ¼ mile from any Individual Area  
2 Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this  
3 Code, the nonconforming use may change to another use which is permitted as a principal  
4 use at the first story and below in an NC-1 District and in the Individual Area Neighborhood  
5 Commercial District or Restricted Use Subdistrict or Districts within ¼ mile of the use, or it  
6 may change to another use which is permitted as a conditional use at the first story and below  
7 in an NC-1 District and in the Individual Area Neighborhood Commercial District or Districts  
8 within ¼ mile of the use only upon approval of a conditional use application pursuant to the  
9 provisions of Article 3 of this Code. If the nonconforming use is seeking to change in use to a  
10 retail sales activity or retail sales establishment which is also a formula retail use, as defined  
11 in Section 703.3 of this Code, it shall comply with the provisions of Section 703.3 of this Code.

12           The nonconforming use shall comply with other building standards and use limitations  
13 of NC-1 Districts and any Individual Area NC District or Districts located within ¼ mile of the  
14 use, as set forth in Article 7 of this Code.

15           (2) A nonconforming use in a Residential-Commercial Combined District may be  
16 changed to another use listed in Articles 2 or 7 of this Code as a principal use for the district in  
17 which the existing use would first be permitted as a principal or conditional use.

18           (3) A nonconforming use in a Neighborhood Commercial District may be  
19 changed to another use as provided in Subsections (c) and (d) below or as provided in  
20 Section 186.1 of this Code.

21           (4) A nonconforming use in any district other than a Residential, Downtown  
22 Residential, or Neighborhood Commercial District may be changed to another use listed in  
23 Articles 2 or 7 of this Code as a principal use for the district in which the existing use would  
24 first be permitted as a principal use.

1 (5) A nonconforming use in any South of Market Mixed Use District may not be  
2 changed to an office, retail, bar, restaurant, nighttime entertainment, adult entertainment,  
3 hotel, motel, inn, hostel, or movie theater use in any district where such use is otherwise not  
4 permitted or conditional, except as provided in Subsection (g) below.

5 . . .

6 ~~(f) Any nonconforming use in an RED District may change to any use falling within zoning~~  
7 ~~categories 816.36, 816.42 through 816.47, 816.55, or 816.64 through 816.67, subject to the applicable~~  
8 ~~provisions of this Code other than those controlling uses, and the new use may thereafter continue as a~~  
9 ~~nonconforming use.~~

10 (g) Once a nonconforming use has been changed to a principal or conditional use  
11 permitted in the district in which the property is located, or brought closer in any other manner  
12 to conformity with the use limitations of this Code, the use of the property may not thereafter  
13 be returned to its former nonconforming status, except that:

14 (1) Any area which is used as a live/work unit shall be allowed to return to its  
15 former nonconforming status.

16 (2) Within any South of Market Mixed Use District, any area occupied by a  
17 nonconforming office use which is changed to an arts, home and/or business service use  
18 falling within zoning categories 102.2 or 816.42 through 816.47 or a wholesale, storage or  
19 light manufacturing use falling within zoning categories 816.64 through 816.67 shall be  
20 allowed to return to its former nonconforming office use.

21 (3) Upon restoration of a previous nonconforming use as permitted by  
22 Subsection (1) or (2) above, any modification, enlargement, extension, or change of use, from  
23 circumstances which last lawfully existed prior to the creation of the live/work unit, or prior to  
24 the change from office use, shall be subject to the provisions of this Article, and the restored  
25

1 nonconforming use shall be considered to have existed continuously since its original  
2 establishment, prior to the live/work unit or change to office use, for purposes of this Article.

3 (hg) If a nonconforming use has been wrongfully changed to another use in violation of  
4 any of the foregoing provisions, and the violation is not immediately corrected when required  
5 by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or  
6 abandonment of the nonconforming use under Section 183 of this Code.

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

8 ...

9 ...
10 <b><i>Individual Area <u>Named Neighborhood Commercial</u> Districts (Defined in Sec.</i></b>
11 <b><i><u>702.1)</u></i></b>
12 <i>Noriega Street Neighborhood Commercial District (Defined in Sec. 739.1)</i>
13 <i>Irving Street Neighborhood Commercial District (Defined in 740.1)</i>
14 <i>Taraval Street Neighborhood Commercial District (Defined in 741.1)</i>
15 <i>Judah Street Neighborhood Commercial District (Defined in Sec. 742.1)</i>
16 <i>Regional Commercial District (Defined in Sec. 744)</i>

17
18
19
20 <b><i>Individual Area <u>Named Neighborhood Commercial Transit (NCT)</u></i></b>
21 <b><i>Districts (Defined in Sec. 702.1)</i></b>
22 ...
23 <i>Folsom Street NCT</i>
24
25



<b>South of Market Use Mixed Use Districts</b> <b>(Also see <del>Article 8</del> <u>Sec. 802.5</u>)</b>	
<i><u>RED</u></i>	<i>Residential Enclave Districts</i>
...	

<b>Eastern Neighborhoods Mixed Use Districts</b> <b>(Also see Article 8)</b>	
...	
<i><u>RED</u></i>	<i>Residential Enclave District</i>
<i><u>RED-MX</u></i>	<i>Residential Enclave District - Mixed</i>
<i><u>WMUG</u></i>	<i>Western SoMa Mixed Use – General</i>
<i><u>WMUO</u></i>	<i>Western SoMa Mixed Use - Office</i>
<i><u>SALI</u></i>	<i>Service/Arts/Light Industrial</i>

...

In addition to the classes of use districts in the above table, the following terms shall apply:

"R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-1, RM-3, RM-4, RTO, RTO-M, RC-1, RC-2, RC-3, or RC-4, ~~or RED District~~;

...

1                   **SEC. 204.4. DWELLING UNITS ACCESSORY TO OTHER USES.**

2                   ...

3                   (b) In any NC, C, M, PDR, or Eastern Neighborhood Mixed Use District, *except for*  
4 *properties within the Western SoMa Special Use District,* dwelling units which are integrated with  
5 the working space of artists, artisans and other craftspersons shall be permitted as an  
6 accessory use to such working space, when such dwelling units are occupied by a group of  
7 persons including no more than four adults, and where the occupancy meets all applicable  
8 provisions of the Building Code and Housing Code.

9                   (1) In PDR *and WMUG* Districts, dwelling units permitted by Section 204.4(b)  
10 may not represent more than one-fourth (¼) of the total floor area occupied by such use and  
11 the principal use to which it is accessory.

12                   ...

13                   **SEC. 207.4. DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL**  
14 **DISTRICTS.**

15                   ...

16                   (c) The dwelling unit density in *the RCD District and* NCT Districts, as listed in Section  
17 702.1(b), shall not be limited by lot area, but by the applicable requirements and limitations  
18 elsewhere in this Code, including but not limited to height, bulk, setbacks, open space,  
19 exposure, and unit mix, as well as by applicable design guidelines, applicable elements and  
20 area plans of the General Plan, and design review by the Planning Department.

21                   **SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.**

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**Table 207.5(b)**  
**Density of Dwelling Units in**  
**South of Market Mixed Use Districts**

<b>General Area District</b>	<b>Residential Density Limits</b>
<i>Residential Enclave</i> <del>(RED)</del> ...	<i>One dwelling unit for each 400 sq. ft. of lot area</i>

**SEC. 207.6. REQUIRED MINIMUM DWELLING UNIT MIX IN RTO, RCD, NCT, DTR,  
AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

...

**(b) Applicability.**

(1) This Section shall apply in the RTO, RCD, NCT, DTR and Eastern  
Neighborhoods Mixed Use Districts.

(2) This Section shall apply to all applications for building permits and/or  
Planning Commission entitlements which propose the creation of five or more dwelling units.

(3) This Section does not apply to buildings for which 100 percent of the  
residential uses are: group housing, dwelling units which are provided at below market rates  
pursuant to Section ~~326.3(h)(2)(B)~~ 406(b)(1) of this Code, Single Room Occupancy Units,  
Student Housing (as defined in Sec. ~~106.36~~ 102.36), or housing specifically and permanently  
designated for seniors or persons with physical disabilities.

**(c) Controls.**

1 (1) For the RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3  
2 districts, no less than 40 percent of the total number of dwelling units on site shall contain at  
3 least two bedrooms. Any fraction resulting from this calculation shall be rounded to the  
4 nearest whole number of dwelling units. While existing dwelling units in buildings which do not  
5 comply with this Subsection need not be expanded to meet this requirement, all new dwelling  
6 units shall provide at least two bedrooms when less than 40 percent of the total number of  
7 dwelling units contain less than two bedrooms.

8 (2) For all other RTO, RCD and NCT districts, as well as DTR and Eastern  
9 Neighborhoods Mixed Use Districts, one of the following two must apply;

10 (A) no less than 40 percent of the total number of proposed dwelling units  
11 shall contain at least two bedrooms. Any fraction resulting from this calculation shall be  
12 rounded to the nearest whole number of dwelling units, or

13 (B) no less than 30 percent of the total number of proposed dwelling units  
14 shall contain at least three bedrooms. Any fraction resulting from this calculation shall be  
15 rounded to the nearest whole number of dwelling units.

16 (d) **Modifications.**

17 (1) In NCT, RCD and RTO Districts, these requirements may be waived or  
18 modified with Conditional Use Authorization. In addition to those conditions set forth in Section  
19 303, the Planning Commission shall consider the following criteria:

20 (A) The project demonstrates a need or mission to serve unique  
21 populations, or

22 (B) The project site or existing building(s), if any, feature physical  
23 constraints that make it unreasonable to fulfill these requirements.

24 (2) In Eastern Neighborhoods Mixed Use Districts, these requirements may be  
25 waived in return for provision of family-sized affordable units, pursuant to Section 319.4(b). To

1 receive this waiver, 100 percent of the total number of inclusionary units required under  
 2 Section 315.4 or Section 319.4 shall contain at least two bedrooms. Also in Eastern  
 3 Neighborhoods Mixed Use Districts, these requirements may be waived or modified through  
 4 the Variance process set forth in Section 305, or in the case of projects subject to Section  
 5 329, through the procedures of that section.

6 (3) In DTR Districts, these requirements may be modified per the procedures of  
 7 Section 309.1.

8 **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING.**

9 . . .

10 (a) The maximum number of bedrooms on each lot shall be as specified in the  
 11 following table for the district in which the lot is located, except that in RTO, RTO-M, RCD,  
 12 UMU, MUG, WMUG, MUR, MUO, WMUO, RED, RED-MX, SPD, DTR and all NCT districts the  
 13 density of group housing shall not be limited by lot area, and except that for lots in NC  
 14 Districts, the group housing density shall not exceed the number of bedrooms permitted in the  
 15 nearest Residential District provided that the maximum density not be less than the amount  
 16 permitted by the ratio specified for the NC District in which the lot is located.

17 **Table 208**  
 18 **MAXIMUM DENSITY FOR**  
 19 **GROUP HOUSING**

<b>District</b>	<b>Minimum Number of Square Feet of Lot Area for Each Bedroom</b>
. . .	<del>140</del>

1	RED	
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2  
3  
4 **SEC. 261.2. ADDITIONAL HEIGHT LIMITS FOR THE FOLSOM STREET NCT DISTRICT.**

5 *(a) Purpose. Folsom Street is intended to be the main street of the Western SoMa*  
6 *neighborhood, with neighborhood-serving uses and a high-quality pedestrian environment. As such, it*  
7 *is important to allow for appropriate development heights while also maximizing light and air to the*  
8 *sidewalks, parks, plazas, and frontages along the street.*

9 *(b) Controls. In the Folsom Street NCT District, any portion of a building above 55 feet in*  
10 *height shall be set back at least 15 feet from any property line fronting Folsom Street, except for those*  
11 *features listed in Section 260(b) of this Code.*

12 **SEC. 263.28. SPECIAL EXCEPTIONS. SALI DISTRICTS IN THE 40-55-X HEIGHT AND**  
13 **BULK DISTRICT.**

14 *(a) Purpose. Arts activities are encouraged in the Western SoMa Planning Area Special Use*  
15 *District, and especially in the SALI District. Therefore, additional development potential is provided in*  
16 *the SALI District when additional space is provided for the exclusive use of arts activities.*

17 *(b) Applicability. This Section shall apply to all properties zoned SALI and a Height and Bulk*  
18 *district of 40-55-X.*

19 **(c) Controls.**

20 *(1) Additional Height Permitted. In SALI Districts in the 40-55-X Height and Bulk*  
21 *District, buildings are limited to a maximum height of 40 feet unless all of the following criteria are*  
22 *met, in which case they may extend to a maximum height of 55 feet:*

23 *(A) At least one story of the building, as defined in Section 102.23, located on*  
24 *the ground story or above, as defined in Section 102.24, is designated for the exclusive use of Arts*  
25 *Activities, as defined in Section 102.2. If the ground floor is designed for the use of Arts Activities, it*

1 shall also be permitted to contain lobbies, egress, building services, and other features necessary for  
2 the operation of the building and permitted uses elsewhere in the building.

3 (B) Any such story dedicated to arts activities pursuant to subsections (2) and  
4 (3) below, regardless of its location within the building, shall have a minimum floor-to-floor height of  
5 15 feet.

6 (2) **Timing of Designation.** In the case of the new construction of a building that extends  
7 beyond 40 feet in height, exclusive of permitted obstructions under Section 260(b), any designated arts  
8 activity story shall be established prior to the issuance of a first building permit or along with any  
9 associated Planning Commission action, whichever occurs first. In the case of buildings that were  
10 constructed prior to the effective date of this Section that would be expanded such that they would  
11 extend beyond 40 feet in height, exclusive of permitted obstructions under Section 260(b), any such  
12 story shall be designated prior to the issuance of any building permit or along with any associated  
13 Planning Commission action, whichever occurs first.

14 (3) **Recordation of Designation.** Notice of the designation of the arts activities story  
15 shall be recorded as a restriction on the deed of the property along with plans clearly depicting the  
16 designated story in relation to the balance of the building. A designated arts activity story may be re-  
17 designated to a different story within the same building only if the newly designated story meets the  
18 minimum criteria listed above. Such re-designation shall follow all required procedures listed in this  
19 Section for the initial designation of an arts activities story. In no case may the designated arts activity  
20 story be converted to a use other than arts activity without complete removal of all portions of the  
21 building that extend above 40 feet in height, exclusive of permitted obstructions under Section 260(b).

22 **SEC. 263.29. SPECIAL HEIGHT EXCEPTIONS. PERMITTED BUILDING HEIGHTS IN**  
23 **THE WESTERN SOMA SPECIAL USE DISTRICT.**

24 In the 40-X/50-X, 40-X/65-B, 45-X/65-B, 55-X/65-B, and 65-B/75-B Height and Bulk Districts,  
25 as designated on Section Maps HT01, HT07, and HT08 of the Zoning Map, located within the

1 boundaries of the Western SoMa Special Use District, but excluding those properties in the SALI  
2 District, height exceptions above the base height limit to the maximum height limit may be approved for  
3 a project in accordance with the procedures and criteria required for a conditional use authorization  
4 as set forth in Sections 303 and 823(c)(12) of this Code.

5 **SEC. 270.2. SPECIAL BULK AND OPEN SPACE REQUIREMENT: MID-BLOCK**  
6 **ALLEYS IN LARGE LOT DEVELOPMENT IN THE EASTERN NEIGHBORHOODS MIXED**  
7 **USE, SOUTH OF MARKET MIXED USE, C-3, C-M, AND DTR DISTRICTS.**

8 (e) **Design and Performance Standards.** The alleys provided per subsections (a) and  
9 (b) above shall meet the following standards:

10 (1) Generally be located as close to the middle portion of the subject block face  
11 as possible, perpendicular to the subject frontage and connect to existing adjacent streets and  
12 alleys;

13 (2) Provide pedestrian access;

14 (3) Provide no, limited or full vehicular access, as specific conditions warrant;

15 (4) Have a minimum width of 20 feet from building face to building face,  
16 exclusive of those obstructions allowed pursuant to Section 136, and a minimum clearance  
17 height from grade of 15 feet at all points. In RED, RED-MX, WMUG, WMUO, and SALI Districts,  
18 the minimum width shall be 30 feet;

19 (5) Have a minimum clear walking width of 10 feet free of any obstructions in the  
20 case of a pedestrian-only right-of-way, and dual sidewalks each of not less than 6 feet in width  
21 with not less than 4 feet minimum clear walking width in the case of an alley with vehicular  
22 access;

23 (6) In the Eastern Neighborhoods Mixed Use Districts, be at least 60% open to  
24 the sky, including those encroachments permitted in front setbacks by Section 136 of this  
25 Code;



1 (7) Provide such ingress and egress as will make the area easily accessible to  
2 the general public;

3 (8) Be protected from uncomfortable wind, as called for elsewhere in this Code;

4 (9) Be ungated and publicly accessible 24 hours per day, as defined elsewhere  
5 in this Section;

6 (10) Be provided with appropriate paving, furniture, and other amenities that  
7 encourage pedestrian use, and be landscaped to greatest extent feasible;

8 (11) Be provided with ample pedestrian lighting to ensure pedestrian comfort  
9 and safety;

10 (12) Be free of any changes in grade or steps not required by the underlying  
11 natural topography and average grade; and

12 (13) Be fronted by active ground floor uses, as defined in Section 145.1, to the  
13 extent feasible.

14 (14) New buildings abutting mid-block alleys provided pursuant to this Section  
15 270.2 shall feature upper story setbacks according to the provisions of Section 261.1.

16 . . .

17  
18 **SEC. 316. PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN**  
19 **NEIGHBORHOOD COMMERCIAL, EASTERN NEIGHBORHOODS MIXED USE**  
20 **DISTRICTS, AND SOUTH OF MARKET MIXED USE DISTRICTS AND FOR LIVE/WORK**  
21 **UNITS IN RH AND RM DISTRICTS.**

22 In addition to the provisions of Sections 306.1, 306.4, and 306.5 of this Code, the  
23 following procedures set forth in this and the following sections shall govern applications for  
24 conditional use authorization where this authorization is required pursuant to Sections 178,  
25 179, 181(f) or (g), 209.9(f), 209.9(h), 260(b)(2)(P) or 263.11 of this Code; zoning categories  
.10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 729 of this  
Code for each Neighborhood Commercial District; Sections 813 through 818 for the South of

1 Market Mixed Use Districts; ~~or~~ Section 840 through 843 for the Eastern Neighborhoods Mixed  
2 Use Districts; or Section 823 for the Western SoMa Special Use District. The criteria for  
3 determinations on such applications are set forth in Section 303(c) of this Code. Additional  
4 criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 of  
5 Article 7 are set forth in the Section of this Code containing the control. Additional criteria for  
6 determinations on certain applications within Mixed Use Districts are set forth in Sections  
7 263.11 and 803.5 through 803.9 of this Code. Additional criteria for determination on certain  
8 applications within the Western SoMa Special Use District are set forth in Section 823 of this Code.

9  
10 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS  
MIXED USE DISTRICTS.**

11 . . .

12  
13 (b) **Applicability.** This Section applies to all projects in the Eastern Neighborhoods  
14 Mixed Use, except projects in the Western SoMa Special Use District, subject to Section 823(c)(12),  
15 that meet at least one of the following criteria:

16 (1) The project includes the construction of a new building greater than 75 feet in  
17 height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition  
18 to an existing building with a height of 75 feet or less resulting in a total building height greater  
19 than 75 feet; or

20 (2) The project involves a net addition or new construction of more than 25,000  
21 gross square feet.

22 . . .

23 **SEC. 401. DEFINITIONS.**

24 . . .

1 "Eastern neighborhoods Public Benefits Program." The program intended to  
2 implement the community improvements identified in the ~~four~~ five Area Plans affiliated with the  
3 Eastern Neighborhoods (Central Waterfront, East SoMa, Western SoMa, Mission, and  
4 Showplace Square/Potrero Hill), as articulated in the Eastern Neighborhoods Public Benefits  
5 Program Document, on file with the Clerk of the Board in File No. 081155, and the Western  
6 SoMa Public Benefits Program Document, on file with the Clerk of the Board in File No. \_\_\_\_\_.)  
7 . . .

8 **SEC. 423.1. FINDINGS.**

9 **A. New Housing and Other Land Uses.** San Francisco is experiencing a severe  
10 shortage of housing available to people at all income levels. In addition, San Francisco has an  
11 ongoing affordable housing crisis. Many future San Francisco workers will be earning below  
12 80% of the area's median income, and even those earning moderate or middle incomes,  
13 above the City's median, are likely to need assistance to continue to live in San Francisco. In  
14 2007, the median income for a family of four in the city was about \$86,000. Yet median home  
15 prices suggest that nearly twice that income is needed to be able to a dwelling suitable for a  
16 family that size. Only an estimated 10% of households in the City can afford a median-priced  
17 home.

18 The Association of Bay Area Governments' (ABAG) Regional Housing Needs  
19 Determination (RHND) forecasts that San Francisco must produce over 31,000 new units in  
20 the next five years, or over 6,000 new units of housing annually, to meet projected needs. At  
21 least 60%, or over 18,000, of these new units should be available to households of very low,  
22 low, and moderate incomes. With land in short supply in the City, it is increasingly clear that  
23 the City's formerly industrial areas offer a critical source of land where this great need for  
24 housing, particularly affordable housing, can be partially addressed.  
25

1 San Francisco's Housing Element establishes the Eastern Neighborhoods as a target  
2 area for development of new housing to meet San Francisco's identified housing targets. The  
3 release of some of the area's formerly industrial lands, no longer needed to meet current  
4 industrial or PDR needs, offer an opportunity to achieve higher affordability, and meet a  
5 greater range of need. The Mission, Showplace Square - Potrero Hill, East SoMa, Western  
6 SoMa and Central Waterfront Area Plans of the General Plan (Eastern Neighborhoods Plans)  
7 thereby call for creation of new zoning intended specifically to meet San Francisco's housing  
8 needs, through higher affordability requirements and through greater flexibility in the way  
9 those requirements can be met, as described in Section 419. To support this new housing,  
10 other land uses, including PDR businesses, retail, office and other workplace uses will also  
11 grow in the Eastern Neighborhoods.

12 . . .

13 **D. Programmed Improvements.** General public improvements and amenities needed  
14 to meet the needs of both existing residents, as well as those needs generated by new  
15 development, have been identified through the community planning processes of the Area  
16 Plans, In the Mission, Showplace Square, Potrero Hill, Eastern SoMa and Central Waterfront Areas,  
17 these general public improvements and amenities were based on the standards-based analysis  
18 contained in the Eastern Neighborhoods Needs Assessment, San Francisco Planning  
19 Department, Case No. 2004.0160UU on file with the Clerk of the Board in File No. 081155,  
20 and on community input during the Plan adoption process. The Planning Department  
21 developed generalized cost estimates, based on similar project types implemented by the City  
22 in the relevant time period, to provide reasonable approximates for the eventual cost of  
23 providing necessary Public Benefits in the Plan Areas (information on these cost estimates is  
24 located in the Eastern Neighborhoods and Western SoMa Public Benefits Program Documents).  
25 However specific public improvements are still under development and will be further clarified

1 through interdepartmental efforts with input from the Interagency Plan Implementation  
2 Committee, the Citizens Advisory Committee, and other stakeholders. Specific project  
3 identification, design work, engineering, and environmental review will still be required and  
4 may alter the nature of the improvements, as well as the sum total of the cost for these  
5 improvements.

6 **E. Eastern Neighborhoods Impact Fee.** Development impact fees are an effective  
7 approach to mitigate impacts associated with growth in population. The proposed Eastern  
8 Neighborhoods Impact Fee would be dedicated to infrastructure improvements in the Plan  
9 Area, directing benefits of the fund clearly to those who pay into the fund, by providing  
10 necessary infrastructure improvements and housing needed to serve new development. The  
11 net increases in individual property values in these areas due to the enhanced neighborhood  
12 amenities financed with the proceeds of the fee are expected to exceed the payments of fees  
13 by project sponsors.

14 The fee rate has been calculated by the Planning Department based on accepted  
15 professional methods for the calculation of such fees, and described fully in the Eastern  
16 Neighborhoods and Western SoMa Nexus Studies, San Francisco Planning Department, Case  
17 No. 2004.0160UU and \_\_\_\_\_ on file with the Clerk of the Board in File No. 081155 for the  
18 Mission, Showplace Square, Potrero Hill, East SoMa and Central Waterfront Areas, and File No.  
19 \_\_\_\_\_ for the Western SoMa Plan Area. The Eastern Neighborhoods and Western SoMa Public  
20 Benefits Program Document contains a full discussion of impact fee rationale.

21 The proposed fee would cover less than the full nexus as calculated by the Eastern  
22 Neighborhoods Nexus Studies. The proposed fees only cover impacts caused by new  
23 development and are not intended to remedy existing deficiencies. Those costs will be paid  
24 for by public, community, and other private sources as described in the Eastern  
25 Neighborhoods Public Benefits Program. Residential and non-residential impact fees are only

1 one of many revenue sources necessary to create the "complete neighborhoods" that will  
2 provide appropriate amenities for residents of the Eastern Neighborhoods.

3 **SEC. 423.2. DEFINITIONS.**

4 (a) In addition to the definitions set forth in Section 401 of this Article, the following  
5 definitions shall govern interpretation of Section 423.1 et seq.

6 (1) **Tier 1.**

7 (A) All development on sites which received a height increase of eight  
8 feet or less, or received a reduction in height, as part of the Eastern Neighborhoods Plan (on  
9 file with the Clerk of the Board of Supervisors in File No. 081154 or the Western SoMa  
10 Community Plan (on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_));

11 (B) The residential portion of all 100% affordable housing projects;

12 (C) The residential portion of all projects within the Urban Mixed Use  
13 (UMU) district; and

14 (D) All changes of use within existing structures.

15 (2) **Tier 2.** All additions to existing structures or new construction on other sites  
16 not listed in subsection (1) above which received a height increase of nine to 28 feet as part of  
17 the Eastern Neighborhoods Plan (on file with the Clerk of the Board of Supervisors in File No.  
18 081154) or the Western SoMa Community Plan (on file with the Clerk of the Board of Supervisors in  
19 File No. \_\_\_\_\_);

20 For the purposes of this Section, increase in heights in the WMUG District in Assessor's Blocks  
21 3733 and 3752 shall be measured by the base height (as defined in Section 263.11) prior to the effective  
22 date of the Western SoMa Plan (Ordinance No. \_\_\_\_\_);

23 (3) **Tier 3.** All additions to existing structures or new construction on other sites  
24 not listed in subsection (1) above which received a height increase of 29 feet or more as part  
25 of the Eastern Neighborhoods Plan (on file with the Clerk of the Board of Supervisors in File

1 No. 081154) or the Western SoMa Community Plan (on file with the Clerk of the Board of Supervisors  
2 in File No. \_\_\_\_\_).

3 For purposes of this Section, increase in heights in the MUR District shall be measured  
4 by the base height (as defined in Section 263.11) prior to the effective date of the Eastern  
5 Neighborhoods (Ordinance #298-08).

6 **SEC. 423.3. APPLICATION OF EASTERN NEIGHBORHOODS INFRASTRUCTURE**  
7 **IMPACT FEE.**

8 . . .

9 **(d) Option for In-Kind Provision of Community Improvements and Fee Credits.**

10 Project sponsors may propose to directly provide community improvements to the City. In  
11 such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor  
12 and issue a fee waiver for the Eastern Neighborhoods Infrastructure Impact Fee from the  
13 Planning Commission, subject to the following rules and requirements:

- 14 (1) **Approval criteria.** The City shall not enter into an In-Kind Agreement unless  
15 the proposed in-kind improvements meet an identified community need as analyzed in the  
16 Eastern Neighborhoods Community Improvements Program and where they substitute for  
17 improvements that could be provided by the Eastern Neighborhoods ~~Community Improvements~~  
18 Public Benefits Fund (as described in Section 423.5). The City may reject in-kind  
19 improvements if they are not consistent with the priorities identified in the Eastern  
20 Neighborhoods Area Plans (Central Waterfront, East SoMa, Western SoMa, Mission, and  
21 Showplace Square/Potrero Hill), by the Interagency Plan Implementation Committee (see  
22 Section 36 of the Administrative Code), the Eastern Neighborhoods Citizens Advisory  
23 Committee, or other prioritization processes related to Eastern Neighborhoods Citizens  
24 community improvements programming. No physical improvement or provision of space  
25

1 otherwise required by the Planning Code or any other City Code shall be eligible for  
2 consideration as part of this In-Kind Improvements Agreement.

3 (2) **Valuation.** The Director of Planning shall determine the appropriate value of  
4 the proposed in-kind improvements. For the purposes of calculating the total value, the project  
5 sponsor shall provide the Planning Department with a cost estimate for the proposed in-kind  
6 improvement(s) from two independent sources or, if relevant, real estate appraisers. If the City  
7 has completed a detailed site-specific cost estimate for a planned improvement this may  
8 serve as one of the cost estimates provided it is indexed to current cost of construction.

9 (3) **Content of the In-Kind Improvements Agreement.** The In-Kind  
10 Improvements Agreement shall include at least the following items:

11 (i) A description of the type and timeline of the proposed in-kind  
12 improvements.

13 (ii) The appropriate value of the proposed in-kind improvement, as  
14 determined in subsection (2) above.

15 (iii) The legal remedies in the case of failure by the project sponsor to  
16 provide the in-kind improvements according to the specified timeline and terms in the  
17 agreement. Such remedies shall include the method by which the City will calculate accrued  
18 interest.

19 (4) **Approval Process.** The Planning Commission must approve the material  
20 terms of an In-Kind Agreement. Prior to the parties executing the Agreement, the City  
21 Attorney must approve the agreement as to form and to substance. The Director of Planning  
22 is authorized to execute the Agreement on behalf of the City. If the Planning Commission  
23 approves the In-Kind Agreement, it shall waive the amount of the Eastern Neighborhoods  
24 Infrastructure Impact Fee by the value of the proposed In-Kind Improvements Agreement as  
25 determined by the Director of Planning. No credit shall be made for land value unless



1 ownership of the land is transferred to the City or a permanent public easement is granted, the  
2 acceptance of which is at the sole discretion of the City. The maximum value of the In-Kind  
3 Improvements Agreement shall not exceed the required Eastern Neighborhoods Infrastructure  
4 Impact Fee.

5 (5) **Administrative Costs.** Project sponsors that pursue an In-Kind  
6 Improvements Agreement will be billed time and materials for any administrative costs that the  
7 Planning Department or any other City entity incurs in negotiating, drafting, and monitoring  
8 compliance with the In-Kind Improvements Agreement.

9 . . .

10 **SEC. 423.5. THE EASTERN NEIGHBORHOODS PUBLIC BENEFITS FUND.**

11 . . .

12 (b) Expenditures from the Fund shall be recommended by the Planning Commission,  
13 and administered by the Board of Supervisors.

14 (1) All monies deposited in the Fund or credited against Fund obligations shall be  
15 used to design, engineer, acquire, and develop and improve public open space and  
16 recreational facilities; transit, streetscape and public realm improvements; and community  
17 facilities including child care and library materials, as defined in the Eastern Neighborhoods  
18 and Western SoMa Nexus Studies; or housing preservation and development within the Eastern  
19 Neighborhoods Plan Area. Funds may be used for childcare facilities that are not publicly  
20 owned or "publicly-accessible." Funds generated for 'library resources' should be used for  
21 materials in branches that directly service Eastern Neighborhoods residents. Monies from the  
22 Fund may be used by the Planning Commission to commission economic analyses for the  
23 purpose of revising the fee, and/or to complete an updated nexus study to demonstrate the  
24 relationship between development and the need for public facilities if this is deemed  
25 necessary.

1 (2) Funds may be used for administration and accounting of fund assets, for  
2 additional studies as detailed in the Eastern Neighborhoods Public Benefits Program  
3 Document, and to defend the Community Stabilization fee against legal challenge, including  
4 the legal costs and attorney's fees incurred in the defense. Administration of this fund includes  
5 time and materials associated with reporting requirements, facilitating the Eastern  
6 Neighborhoods Citizens Advisory Committee meetings, and maintenance of the fund. All  
7 interest earned on this account shall be credited to the Eastern Neighborhoods Public  
8 Benefits Fund.

9 (c) Funds shall be deposited into specific accounts according to the improvement type  
10 for which they were collected. Funds from a specific account may be used towards a different  
11 improvement type, provided said account or fund is reimbursed over a five-year period of fee  
12 collection. Funds shall be allocated to accounts by improvement type as described below:

13 (1) Funds collected from all zoning districts in the Eastern Neighborhoods  
14 Program Area, excluding Designated Affordable Housing Zones shall be allocated to accounts  
15 by improvement type according to Table 423.5.

16 (2) Funds collected in designated affordable housing zones (Mission NCT and  
17 MUR (as defined in 401), shall be allocated to accounts by improvement type as described in  
18 Table 423.5A. The revenue devoted to affordable housing preservation and development shall  
19 be deposited into a specific amount to be held by the Mayor's Office of Housing.

20 A. All funds collected from projects in the Mission NCT that are  
21 earmarked for affordable housing preservation and development shall be expended on  
22 housing programs and projects within the Mission Area Plan boundaries.

23 B. All funds collected from projects in the MUR that are earmarked for  
24 affordable housing preservation and development shall be expended on housing programs  
25

1 and projects shall be expended within the boundaries of 5th to 10th Streets/Howard to  
2 Harrison Streets.

3 C. Collectively, the first \$10 million in housing fees collected between the  
4 two Designated Affordable Housing Zones shall be utilized for the acquisition and  
5 rehabilitation of existing housing.

6 (3) All funds are supported by the Eastern Neighborhoods and Western SoMa  
7 Nexus Studies, San Francisco Planning Department, Case No. 2004.0160 and \_\_\_\_\_, and  
8 monitored according to the Eastern Neighborhoods Area Plans Monitoring Program required  
9 by the Administrative Code Section 10E and detailed by separate resolution.

10 . . .

11 **SEC. 429.2. APPLICATION.**

12 This section shall apply to:

13 . . .

14 (b) all non-residential projects that involve construction of a new building or addition of  
15 floor area in excess of 25,000 square feet and that have submitted their first complete  
16 Development Application on or after January 1, 2013 on the following parcels:

17 (1) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, ~~and~~ UMU,  
18 WMUG, WMUO and SALI Districts;

19 (2) properties that are zoned MUG, MOU, or MUR and that are north of  
20 Division/Duboce/13th Streets; and

21 (3) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and  
22 7295 (Stonestown Galleria Mall).

23 For the purposes of this Section, a "Development Application" shall mean any  
24 application for a building permit, site permit, environmental review, Preliminary Project  
25 Assessment (PPA), Conditional Use, or Variance.

1           **SEC. 607.1. NEIGHBORHOOD COMMERCIAL DISTRICTS.**

2           ...

3           (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in  
4 all Neighborhood Commercial Districts subject to the limits set forth below.

5                   (1) **NC-1 and NCT-1 Districts.**

6                           (A) **Window Signs.** The total area of all window signs, as defined in  
7 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
8 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

9                           (B) **Wall Signs.** The area of all wall signs shall not exceed one square  
10 foot per square foot of street frontage occupied by the business measured along the wall to  
11 which the signs are attached, or 50 square feet for each street frontage, whichever is less.  
12 The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is  
13 attached. Such signs may be nonilluminated or indirectly illuminated; or during business  
14 hours, may be directly illuminated.

15                           (C) **Projecting Signs.** The number of projecting signs shall not exceed  
16 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24  
17 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which  
18 it is attached. No part of the sign shall project more than 75 percent of the horizontal distance  
19 from the street property line to the curblineline, or six feet six inches, whichever is less. The sign  
20 may be nonilluminated or indirectly illuminated, or during business hours, may be directly  
21 illuminated.

22                           (D) **Signs on Awnings.** Sign copy may be located on permitted awnings  
23 in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section  
24 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly  
25 illuminated.

1                   (2) **NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,**  
2 **Outer Clement Street, Upper Fillmore Street, Inner Sunset, Haight Street, Hayes-Gough,**  
3 **Upper Market Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street,**  
4 **Sacramento Street, SoMa, Union Street, Valencia Street, 24th Street - Mission, 24th**  
5 **Street - Noe Valley, West Portal Avenue, *and* Glen Park, RCD, Folsom Street**  
6 **Neighborhood Commercial Districts.**

7                   (A) **Window Signs.** The total area of all window signs, as defined in  
8 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
9 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

10                  (B) **Wall Signs.** The area of all wall signs shall not exceed two square  
11 feet per foot of street frontage occupied by the use measured along the wall to which the  
12 signs are attached, or 100 square feet for each street frontage, whichever is less. The height  
13 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the  
14 height of the lowest of any residential windowsill on the wall to which the sign is attached,  
15 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

16                  (C) **Projecting Signs.** The number of projecting signs shall not exceed  
17 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24  
18 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which  
19 it is attached, or the height of the lowest of any residential windowsill on the wall to which the  
20 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of  
21 the horizontal distance from the street property line to the curblin, or six feet six inches,  
22 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
23 business hours, may be directly illuminated.

24                  (D) **Signs on Awnings and Marquees.** Sign copy may be located on  
25 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as

1 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be  
2 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters  
3 or places of entertainment may be directly illuminated during business hours.

4 (E) **Freestanding Signs and Sign Towers.** With the exception of  
5 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one  
6 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the  
7 building or buildings are recessed from the street property line. The existence of a  
8 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
9 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
10 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the  
11 sign shall project more than 75 percent of the horizontal distance from the street property line  
12 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
13 illuminated; or during business hours, may be directly illuminated.

14 (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial**  
15 **Districts.**

16 (A) **Window Signs.** The total area of all window signs, as defined in  
17 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are  
18 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

19 (B) **Wall Signs.** The area of all wall signs shall not exceed three square  
20 feet per foot of street frontage occupied by the use measured along the wall to which the  
21 signs are attached, or 150 square feet for each street frontage, whichever is less. The height  
22 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the  
23 height of the lowest of any residential windowsill on the wall to which the sign is attached,  
24 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

1                   (C) **Projecting Signs.** The number of projecting signs shall not exceed  
2 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32  
3 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it  
4 is attached, or the height of the lowest of any residential windowsill on the wall to which the  
5 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of  
6 the horizontal distance from the street property line to the curblineline, or six feet six inches,  
7 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

8                   (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located  
9 on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as  
10 defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be  
11 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters  
12 or places of entertainment may be directly illuminated during business hours.

13                   (E) **Freestanding Signs and Sign Towers.** With the exception of  
14 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4) of this  
15 Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign  
16 if the building or buildings are recessed from the street property line. The existence of a  
17 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
18 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
19 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the  
20 sign shall project more than 75 percent of the horizontal distance from the street property line  
21 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
22 illuminated, or during business hours, may be directly illuminated.

23                   (4) **Special Standards for Automotive Gas and Service Stations.** For  
24 automotive gas and service stations in Neighborhood Commercial Districts, only the following  
25

1 signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards  
2 in this Section 607.1.

3 (A) A maximum of two oil company signs, which shall not extend more  
4 than 10 feet above the roofline if attached to a building, or exceed the maximum height  
5 permitted for freestanding signs in the same district if freestanding. The area of any such sign  
6 shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or  
7 signs that are within 10 feet of the street property line shall not exceed 80 square feet in area.  
8 No such sign shall project more than five feet beyond any street property line. The areas of  
9 other permanent and temporary signs as covered in Subparagraph (B) below shall not be  
10 included in the calculation of the areas specified in this Subparagraph.

11 (B) Other permanent and temporary business signs, not to exceed 30  
12 square feet in area for each such sign or a total of 180 square feet for all such signs on the  
13 premises. No such sign shall extend above the roofline if attached to a building, or in any case  
14 project beyond any street property line or building setback line.

15 . . .

16 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

17 (a) The following districts are established for the purpose of implementing the  
18 Commerce and Industry element and other elements of the General Plan, according to the  
19 objective and policies stated therein. Description and Purpose Statements outline the main  
20 functions of each Neighborhood Commercial (NC) District in the Zoning Plan for San  
21 Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

22 The description and purpose statements and land use controls applicable to each of  
23 the general and individual area districts are set forth in Sections 710.1 through 784 of this Code  
24 for each district class. The boundaries of the various Neighborhood Commercial Districts are  
25



1 shown on the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the  
 2 provisions of that Section.

<b><u>Named</u> Neighborhood Commercial <del>Individual Area</del> Districts</b>	<b>Section Number</b>
...	
<i>Glen Park Neighborhood Commercial Transit District</i>	<u>§ 738.1</u>
<i>Noriega Street Neighborhood Commercial District</i>	<u>§ 739.1</u>
<i>Irving Street Neighborhood Commercial District</i>	<u>§ 740.1</u>
<i>Taraval Street Neighborhood Commercial District</i>	<u>§ 741.1</u>
<i>Judah Street Neighborhood Commercial District</i>	<u>§ 742.1</u>
<i>Folsom Street Neighborhood Commercial Transit District</i>	<u>§ 743.1</u>
<i>Regional Commercial District</i>	<u>§ 744.1</u>

16 (b) The following districts are Neighborhood Commercial Transit (NCT) Districts,  
 17 including both general area districts and individual area districts identified by street or area  
 18 name. These districts are a subset of the Neighborhood Commercial (NC) Districts.

<b>Neighborhood Commercial Transit Districts</b>	<b>Section Number</b>
...	
<i>Folsom Street Neighborhood Commercial Transit District</i>	<u>§ 743.1</u>

23 **SEC. 703.2. USES PERMITTED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.**

24 ...

1 (b) **Use Limitations.** The uses permitted in Neighborhood Commercial Districts are  
 2 either principal, conditional, accessory, or temporary uses as stated in this Section, and  
 3 include those uses set forth or summarized and cross-referenced in the zoning control  
 4 categories as listed in *Paragraph (a) in Sections 710.1 through 737.1* of this Code for each district  
 5 class.

6 (1) **Permitted Uses.** All permitted uses shall be conducted within an enclosed building  
 7 in Neighborhood Commercial Districts, unless otherwise specifically allowed in this Code.  
 8 Exceptions from this requirement are: uses which, when located outside of a building, qualify  
 9 as an outdoor activity area, as defined in Section 790.70 of this Code; accessory off-street  
 10 parking and loading and other uses listed below which function primarily as open-air uses, or  
 11 which may be appropriate if located on an open lot, outside a building, or within a partially  
 12 enclosed building, subject to other limitations of this Article 7 and other sections of this Code.

No.	Zoning Control Category
.56	Automobile Parking
.57	Automotive Gas Station
.58	Automotive Service Station
.60	Automotive Wash
.61	Automobile Sale or Rental
.81	Other Institutions, Large (selected)
.83	Public Use (selected)
.95	Community Residential Parking

1 If there are two or more uses in a structure and none is classified below under Section  
2 703.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered  
3 separately as independent principal, conditional or temporary uses.

4 (A) **Principal Uses.** Principal uses are permitted as of right in a Neighborhood  
5 Commercial District, when so indicated in ~~Sections 710.1 through 737.1~~ of this Code for each  
6 district class.

7 (B) **Conditional Uses.** Conditional uses are permitted in a Neighborhood Commercial  
8 District when authorized by the Planning Commission; whether a use is conditional in a given  
9 district is indicated in ~~Sections 710.10 through 737.1~~ of this Code. Conditional uses are subject to  
10 the provisions set forth in Sections 178, 179, 303, and 316 through 316.6 of this Code.

11 (i) An establishment which sells beer or wine with motor vehicle fuel is a conditional  
12 use, and shall be governed by Section 229.

13 (ii) Notwithstanding any other provision of this Article, a change in use or demolition of  
14 a movie theater use, as set forth in Section 790.64, shall require conditional use authorization.

15 This Subsection shall not authorize a change in use if the new use or uses are  
16 otherwise prohibited.

17 (iii) Notwithstanding any other provision of this Article, a change in use or demolition of  
18 a general grocery store use, as defined in Section 790.102(a), which use exceeds 5,000 gross  
19 square feet shall require conditional use authorization. This Subsection shall not authorize a  
20 change in use if the new use or uses are otherwise prohibited.

21 (iv) Large-Scale Urban Agriculture, as defined in Section 102.35(b), shall require  
22 conditional use authorization.

23 (C) **Accessory Uses.** Except as prohibited in Section 728 and subject to the limitations  
24 set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and NC  
25 Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and Loading

1 as Accessory Uses) of this Code, a related minor use which is either necessary to the  
2 operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental  
3 and subordinate to any such use, shall be permitted as an accessory use when located on the  
4 same lot. Any use which does not qualify as an accessory use shall be classified as a  
5 principal or conditional use, unless it qualifies as a temporary use under Sections 205 through  
6 205.4 of this Code.

7 No use will be considered accessory to a permitted principal or conditional use which  
8 involves or requires any of the following:

9 (i) The use of more than 1/3 of the total floor area occupied by such use and the  
10 principal or conditional use to which it is accessory, except in the case of accessory off-street  
11 parking and loading and accessory wholesaling, manufacturing or processing of foods, goods,  
12 or commodities;

13 (ii) Any Bar or Restaurant, or any other retail establishment which serves liquor for  
14 consumption on-site;

15 (iii) Any Take-Out Food use, as defined in Section 790.122, except for a Take-Out  
16 Food use which occupies 1/3 of the total floor area or up to 500 s/f whichever is more  
17 restrictive in a general grocery or specialty grocery store. This Take-Out Food use includes  
18 the area devoted to food preparation and service and excludes storage and waiting areas;

19 (iv) Any Take-Out Food use, as defined in Section 790.122, except for a Take-Out  
20 Food use operating as a minor and incidental use within a Restaurant or Limited-Restaurant  
21 use;

22 (v) The wholesaling, manufacturing or processing of foods, goods, or commodities on  
23 the premises of an establishment which does not also use or provide for retail sale of such  
24 foods, goods or commodities at the same location where such wholesaling, manufacturing or  
25 processing takes place.

1 (vi) Any retail liquor sales, as defined in Section 790.55, except for beer, wine, and/or  
2 liquor sales for the consumption off the premises with a State of California Alcoholic Beverage  
3 Control ("ABC") Board License type 20 (off-sale beer and wine) or type 21 (off-sale general)  
4 which occupy less than 15% of the gross square footage of the establishment (including all  
5 areas devoted to the display and sale of alcoholic beverages) in a general grocery store or  
6 specialty grocery store, or Limited-Restaurant use (ABC license type 20 only).

7 (vii) Medical Cannabis Dispensaries as defined in 790.141.

8 The foregoing rules shall not prohibit take-out food activity which operates in conjunction with  
9 a Limited-Restaurant or a Restaurant. A Limited-Restaurant or a Restaurant, by definition,  
10 includes take-out food as an accessory and necessary part of its operation.

11 (viii) 1 Any other entertainment use, as defined in Section 790.38, except for one that  
12 both (1) involves a Limited Live Performance Permit as set forth in Police Code Section 1060  
13 et seq. and (2) is located outside of the RCD.

14 (D) **Temporary Uses.** Temporary uses are permitted uses, subject to the provisions  
15 set forth in Section 205 of this Code.

16 (2) **Not Permitted Uses.**

17 (A) Uses which are not specifically listed in this Article are not permitted unless they  
18 qualify as a nonconforming use pursuant to Sections 180 through 186.1 of this Code or are  
19 determined by the Zoning Administrator to be permitted uses in accordance with Section  
20 307(a) of this Code.

21 (B) No use, even though listed as a permitted use, shall be permitted in a  
22 Neighborhood Commercial District which, by reason of its nature or manner of operation,  
23 creates conditions that are hazardous, noxious, or offensive through the emission of odor,  
24 fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive  
25 noise.

1 (C) The establishment of a use that sells alcoholic beverages, other than beer and  
2 wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by Section 229.  
3 Except in the SoMa NCT, where these uses are permitted accessory uses.

4 **SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM**  
5 **STREET NCT AND RCD DISTRICTS**

6 *The following controls are intended to support the economic viability of buildings of historic*  
7 *importance within the Folsom NCT and RCD Districts.*

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

13 *(b) All office uses, as defined in Planning Code Section 790.69, are permitted as of right,*  
14 *provided that prior to the issuance of any necessary permits, the Zoning Administrator, with the advice*  
15 *of the Historic Preservation Commission, determines that allowing the use will enhance the feasibility*  
16 *of preserving the building.*

17 *(c) The Historic Preservation Commission shall review the proposed project for compliance*  
18 *with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any applicable provisions*  
19 *of the Planning Code.*

20 **SEC. 743.1. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

21 *The Folsom Street Neighborhood Commercial Transit District (Folsom Street NCT) is located*  
22 *along Folsom Street in the Western SoMa area, generally between 7<sup>th</sup> Street and 10<sup>th</sup> Streets.*

23 *The Folsom Street NCT has a pattern of ground floor commercial and upper story residential*  
24 *units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above*  
25 *the ground story and at residential levels. Active, neighborhood-serving commercial development is*

1 required at the ground story where transparency and fenestration requirements add to the activation at  
 2 the street level. While offices and general retail sales uses may locate on the second story, most  
 3 commercial uses are prohibited above the second story. In order to protect the balance and variety of  
 4 retail use, bars and restaurants are permitted on the ground floor, and liquor stores are allowed with a  
 5 conditional use. Continuous non-residential frontage is promoted by prohibiting drive-up facilities,  
 6 some automobile uses, and permitting a mix of commercial and production, distribution, and repair  
 7 uses. Parking is required to be setback if above grade or locate below ground. Active, pedestrian-  
 8 oriented ground floor uses are required.

9 Housing development in new buildings is encouraged above the ground story, and student  
 10 housing is only permitted in newly constructed buildings. Housing density is not controlled by the size  
 11 of the lot or by density controls, but by bedroom counts. Given the area's central location and  
 12 accessibility to the City's transit network, parking for residential and commercial uses is not required.

13 **Table 743**

14 **FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING**  
 15 **CONTROL TABLE**

			<u>Folsom Street</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>			
<u>743.</u> <u>10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105,</u> <u>106, 250--252,</u> <u>260, 270, 271</u>	<u>65-X to 75-X. See</u> <u>Sectional Zoning Maps 1</u> <u>and 7.</u> <u>Height sculpting required</u> <u>on narrow streets, §261.1</u>
<u>743.</u>	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft. C</u>

1	<u>11</u>		<u>10,000 sq. ft. &amp; above</u>
2	<u>743.</u>		<u>Required at the second</u>
3	<u>12</u>	<u>Rear Yard</u>	<u>story and above and at all</u>
4			<u>residential levels</u>
5			<u>Minimum 25 feet on</u>
6	<u>743.</u>	<u>Street Frontage, Above-Grade</u>	<u>ground floor, 15 feet on</u>
7	<u>13a</u>	<u>Parking Setback and Active Uses</u>	<u>floors above</u>
8			
9	<u>743.</u>	<u>Street Frontage, Required</u>	<u>None.</u>
10	<u>13b</u>	<u>Ground Floor Commercial</u>	
11	<u>743.</u>	<u>Street Frontage, Parking and</u>	<u>Requirements apply.</u>
12	<u>13c</u>	<u>Loading access restrictions</u>	
13	<u>743.</u>		
14	<u>14</u>	<u>Awning</u>	<u>P</u>
15	<u>743.</u>		
16	<u>15</u>	<u>Canopy</u>	<u>P</u>
17	<u>743.</u>		
18	<u>16</u>	<u>Marquee</u>	<u>P</u>
19	<u>743.</u>		
20	<u>17</u>	<u>Street Trees</u>	<u>Required</u>
21	<b><u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u></b>		
22			
23	<u>743.</u>		
24	<u>20</u>	<u>Floor Area Ratio</u>	<u>2.5 to 1</u>
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<u>743.21</u>	<u>Use Size [Non-Residential]</u>	<u>§§ 121.2, 790.130</u>	<u>P up to 3,999 sq. ft.; C 4,000 sq. ft. &amp; above</u>
<u>743.22</u>	<u>Off-Street Parking, Commercial/Institutional</u>	<u>§§ 150, 151.1, 153-157, 159--160, 166, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
<u>743.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152--155, 161(b), 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft.</u>
<u>743.24</u>	<u>Outdoor Activity Area</u>	<u>§§ 790.70, 145.2(a)</u>	<u>P at 1<sup>st</sup> and 2<sup>nd</sup> Floors if located in front; C if located elsewhere</u>
<u>743.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>NP</u>
<u>743.26</u>	<u>Walk-Up Facility</u>	<u>§§ 145.2(b), 790.140</u>	<u>P if recessed 3 ft.; C if not recessed</u>
<u>743.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.</u>
<u>743.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602--604, 608, 609</u>	<u>NP</u>
<u>743.31</u>	<u>Business Sign</u>	<u>§§ 262, 602--604, 607.1(f)(2), 608, 609</u>	<u>P</u>
<u>743.</u>	<u>Other Signs</u>	<u>§§ 262, 602--604,</u>	<u>P</u>

1	<u>32</u>		<u>607.1(c)(d)(g),</u>	
2			<u>608, 609</u>	

No.	Zoning Category	§ References	<u>Folsom Street</u>		
			<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
743. <u>37</u>	<u>Residential</u> <u>Conversion</u>	<u>§§ 790.84,</u> <u>207.7, 317</u>	<u>C</u>	<u>C</u>	
743. <u>38</u>	<u>Residential</u> <u>Demolition</u>	<u>§§ 790.86,</u> <u>207.7, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
743. <u>39</u>	<u>Residential</u> <u>Division</u>	<u>§§ 207.8, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Non-Retail Sales and Services</u></b>					
743. <u>40</u>	<u>Other Retail</u> <u>Sales and</u> <u>Services [Not</u> <u>Listed Below]</u>	<b><u>§ 790.102</u></b>	<u>P</u>	<u>P</u>	
743. <u>41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>		
743. <u>43</u>	<u>Limited-</u> <u>Restaurant</u>	<u>§ 790.90</u>	<u>P up to 10,000</u> <u>gsf per lot; NP</u> <u>above</u>		
743.	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P up to 10,000</u>		

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<u>44</u>			<u>gsf per lot; NP</u> <u>above</u>		
<u>743.</u> <u>45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>C</u>		
<u>743.</u> <u>46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>			
<u>743.</u> <u>47</u>	<u>Adult</u> <u>Entertainment</u>	<u>§ 790.36</u>			
<u>743.</u> <u>48</u>	<u>Other</u> <u>Entertainment</u>	<u>§ 790.38</u>			
<u>743.</u> <u>49</u>	<u>Services,</u> <u>Professional;</u> <u>Services,</u> <u>Financial;</u> <u>Services,</u> <u>Medical</u>	<u>§§ 790.110,</u> <u>790.114,</u> <u>790.116</u>	<u>P when primarily</u> <u>open to the</u> <u>general public on</u> <u>a client-oriented</u> <u>basis.</u>		
<u>743.</u> <u>50</u>	<u>Limited</u> <u>Financial</u> <u>Service</u>	<u>§ 790.112</u>			
<u>743.</u> <u>53</u>	<u>Business or</u> <u>Professional</u> <u>Service</u>	<u>§ 790.108</u>			
<u>743.</u>	<u>Massage</u>	<u>§ 790.60, §</u>	<u>C</u>	<u>C</u>	

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<u>54</u>	<u>Establishment</u>	<u>1900 Health Code</u>			
<u>743.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>P up to 25 rooms per hotel; NP above.</u>	<u>P up to 25 rooms per hotel; NP above.</u>	<u>P up to 25 rooms per hotel; NP above.</u>
<u>743.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 790.10, 158.1, 160, 166,</u>			
<u>743.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
<u>743.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
<u>743.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>		
<u>743.</u>	<u>Automotive</u>	<u>§ 790.18</u>			

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<u>60</u>	<u>Wash</u>				
<u>743.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
<u>743.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>P</u>		
<u>743.62a</u>	<u>Animal Services</u>	<u>§ 224(c)</u>	<u>P for grooming and daycare only. No 24 hour care.</u>		
<u>743.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
<u>743.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
<u>743.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C</u>	
<u>743.65a</u>	<u>Light Manufacturing</u>	<u>§ 790.54(a)</u>	<u>P</u>	<u>P</u>	
<u>743.65b</u>	<u>Wholesale Sales</u>	<u>§ 790.54(b)</u>	<u>P</u>	<u>P</u>	
<u>743.66</u>	<u>Storage</u>	<u>§ 790.117</u>			
<u>743.68</u>	<u>Fringe Financial</u>	<u>§ 790.111</u>			

1	<u>743.</u>	<u>Neighborhood</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
2	<u>69c</u>	<u>Agriculture</u>				
3	<u>743.</u>	<u>Large-Scale</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
4	<u>69d</u>	<u>Urban</u>				
5		<u>Agriculture</u>				
6	<b><u>Institutions and Non-Retail Sales and Services</u></b>					
7	<u>743.</u>	<u>Hospital or</u>				
8	<u>80</u>	<u>Medical Center</u>	<u>§ 790.44</u>	—	—	—
9						
10	<u>743.</u>	<u>Assembly and</u>	<u>§ 790.50(a)</u>	<u>C</u>	<u>C</u>	
11	<u>81</u>	<u>Social Service</u>				
12	<u>743.</u>	<u>Child Care</u>	<u>§§ 790.50(b),</u>			
13	<u>82a</u>		<u>790.51(a)</u>	<u>P</u>	<u>P</u>	
14	<u>743.</u>	<u>Residential</u>				
15	<u>82b</u>	<u>Care, Small</u>	<u>§ 790.51(b)</u>		<u>C</u>	<u>C</u>
16	<u>743.</u>	<u>Religious</u>				
17	<u>82c</u>	<u>Facility</u>	<u>§ 790.50(d)</u>			
18	<u>743.</u>	<u>Public Use</u>				
19	<u>84</u>		<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
20						
21	<u>743.</u>	<u>Medical</u>				
22	<u>85</u>	<u>Cannabis</u>	<u>§ 790.141</u>	—	—	—
23		<u>Dispensary</u>				
24	<u>743.</u>	<u>Office</u>	<u>§ 790.69</u>	<u>P on first or</u>	<u>P on first or</u>	
25	<u>86</u>			<u>second floor, but</u>	<u>second floor,</u>	

			<u>not both</u>	<u>but not both</u>	
743. 86A	<u>Office uses in</u> <u>Landmark</u> <u>Buildings</u>	<u>§§ 790.69,</u> <u>703.9</u>	<u>P</u>	<u>P</u>	<u>P</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>					
743. 90	<u>Residential Use</u>	<u>§§ 145.4,</u> <u>790.88(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
743. 90a	<u>SRO Housing</u>	<u>§§ 145.4,</u> <u>823,</u> <u>890.88(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
743. 90b	<u>Group Housing</u>	<u>§§ 145.4,</u> <u>790.88(b)</u>	<u>C, except NP on</u> <u>lots with more</u> <u>than 25 ft of</u> <u>street frontage</u>	<u>C</u>	<u>C</u>
743. 90c	<u>Student Housing</u>	<u>§102.36</u>	<u># C in newly</u> <u>constructed</u> <u>buildings; NP</u> <u>otherwise</u>	<u># C in newly</u> <u>constructed</u> <u>buildings;</u> <u>NP otherwise</u>	<u># C in newly</u> <u>constructed</u> <u>buildings; NP</u> <u>otherwise</u>
734. 91	<u>Residential</u> <u>Density,</u> <u>Dwelling Units</u>	<u>§§ 207,</u> <u>207.1, 207.4,</u> <u>207.6,</u> <u>790.88(a)</u>	<u>No density limit.</u>		
743.	<u>Residential</u>	<u>§§ 207.1,</u>	<u>No density limit.</u>		

1	<u>92</u>	<u>Density, Group Housing</u>	<u>790.88(b)</u>			
2						
3		<u>Usable Open</u>				
4		<u>Space [Per</u>				
5	<u>734.</u>	<u>Residential</u>	<u>§§ 135, 136</u>			<u>Generally, either 80 sq. ft if private, or 100 sq.</u>
6	<u>93</u>	<u>Unit]</u>				<u>ft. if common § 135(d)</u>
7						
8			<u>§§ 145.1,</u>			
9		<u>Off-Street</u>	<u>150, 151.1,</u>			
10		<u>Parking,</u>	<u>153--157,</u>			<u>None required. P up to 0.5 parking spaces per</u>
11	<u>743.</u>	<u>Residential</u>	<u>159--160,</u>			<u>unit; C up to 0.75 parking spaces per unit.</u>
12	<u>94</u>		<u>166, 167</u>			
13			<u>204.5</u>			
14		<u>Community</u>	<u>§§ 145.1,</u>			
15	<u>743.</u>	<u>Residential</u>	<u>151.1(f),</u>		<u>NP</u>	
16	<u>95</u>	<u>Parking</u>	<u>155(r), 166,</u>			
17			<u>790.10</u>			

**SPECIFIC PROVISIONS FOR FOLSOM STREET NCT DISTRICTS**

<u>Article Code</u>	<u>Other Code</u>	<u>Zoning Controls</u>
<u>Section</u>	<u>Section</u>	
<u>§ 743.90C</u>		<u>Existing buildings may not be converted</u>
<u>§ 102.36</u>		<u>to Student Housing. Student Housing may</u>



		<p><i>only be approved in newly constructed buildings through a conditional use authorization pursuant to Section 303.</i></p>
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**SEC. 744.1. REGIONAL COMMERCIAL DISTRICT**

*The Regional Commercial District (RCD) is located along the 9<sup>th</sup> Street and 10<sup>th</sup> Street corridors, generally running from Mission Street to Harrison Street, and provides for a wide variety of commercial uses and services to a population greater than the immediate neighborhood. While providing convenience goods and services to the surrounding neighborhood, the RCD corridors are also heavily trafficked thoroughfares into and out of the City that serve shoppers from other neighborhoods and cities.*

*Large-scale lots and buildings and wide streets distinguish the RCD from smaller-scaled neighborhood commercial streets, although the district also includes small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.*

*A diverse commercial environment is encouraged for the RCD. Eating and drinking establishments, general retail, office, certain auto uses, and production, distribution, and repair uses generally are permitted with certain limitations at the first and second stories. Arts activities are encouraged on all floors, but nighttime entertainment uses are prohibited.*

*Housing development is encouraged at the second story and above, and permitted on the ground floor on smaller lots. Student housing is not permitted, and existing residential units are protected by limitations on demolitions and conversions.*

**Table 744**

**REGIONAL COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

			<u><b>Regional Commercial</b></u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u><b>BUILDING STANDARDS</b></u>			
<u>744.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250--252, 260, 261.1, 263.18, 270, 271</u>	<u>55-X, 65-X. See Sectional Zoning Maps 1 and 7. Height sculpting required on narrow streets, §261.1</u>
<u>744.11</u>	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 10,000 sq. ft. C above 10,000 sq. ft.</u>
<u>744.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at the second story and above and at all residential levels</u>
<u>744.13a</u>	<u>Street Frontage, Above-Grade Parking Setback and Active Uses</u>	<u>§ 145.1</u>	<u>Minimum 25 feet on ground floor, 15 feet on floors above</u>
<u>744.13b</u>	<u>Street Frontage, Required Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Requirements apply.</u>
<u>744.13c</u>	<u>Street Frontage, Parking and Loading access restrictions</u>	<u>§ 155(r)</u>	<u>Requirements apply.</u>
<u>744.14</u>	<u>Awning</u>	<u>§§ 136.1(a), 790.20</u>	<u>P</u>
<u>744.15</u>	<u>Canopy</u>	<u>§§ 136.1(b), 790.26</u>	<u>P</u>

1	<u>744.</u>		<u>§§ 136.1(c),</u>	
2	<u>16</u>	<u>Marquee</u>	<u>790.58</u>	<u>P</u>
3	<u>744.</u>			
4	<u>17</u>	<u>Street Trees</u>	<u>§ 138.1</u>	<u>Required</u>
5	<b><u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u></b>			
6	<u>744.</u>		<u>§§ 102.9, 102.11,</u>	
7	<u>20</u>	<u>Floor Area Ratio</u>	<u>123, 124</u>	<u>2.5 to 1</u>
8				
9	<u>744.</u>	<u>Use Size [Non-Residential]</u>	<u>§§ 121.2, 790.130</u>	<u>P up to 10,000 sq. ft.; C</u>
10	<u>21</u>			<u>above; NP above 25,000</u>
11				<u>sq. ft</u>
12	<u>744.</u>	<u>Off-Street Parking,</u>	<u>§§ 150, 151.1, 153--</u>	
13	<u>22</u>	<u>Commercial/Institutional</u>	<u>157, 159--160, 166,</u>	<u>None required. Limits set</u>
14			<u>204.5</u>	<u>forth in Section 151.1</u>
15	<u>744.</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152--155,</u>	<u>Generally, none required</u>
16	<u>23</u>		<u>161(b), 204.5</u>	<u>if gross floor area is less</u>
17				<u>than 10,000 sq. ft.</u>
18	<u>744.</u>	<u>Outdoor Activity Area</u>	<u>§§ 145.2(a),</u>	<u>P at 1<sup>st</sup> and 2<sup>nd</sup> Floors if</u>
19	<u>24</u>		<u>790.70</u>	<u>located in front; C if</u>
20				<u>located elsewhere</u>
21	<u>744.</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>NP</u>
22	<u>25</u>			
23	<u>744.</u>	<u>Walk-Up Facility</u>	<u>§§ 145.2(b),</u>	<u>P if recessed 3 ft.; C if not</u>
24	<u>26</u>		<u>790.140</u>	<u>recessed</u>
25				

1	<u>744.</u>			
2	<u>27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.-</u>
3	<u>744.</u>			
4	<u>30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602--604,</u> <u>608, 609</u>	<u>NP</u>
5	<u>744.</u>			
6	<u>31</u>	<u>Business Sign</u>	<u>§§ 262, 602--604,</u> <u>607.1(f)(2), 608,</u> <u>609</u>	<u>P</u>
7	<u>744.</u>			
8	<u>32</u>	<u>Other Signs</u>	<u>§§ 262, 602--604,</u> <u>607.1(c)(d)(g),</u> <u>608, 609</u>	<u>P</u>

<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Regional Commercial</u>		
			<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>744.</u>	<u>Residential</u>	<u>§§ 790.84,</u>			
<u>37</u>	<u>Conversion</u>	<u>207.7, 317</u>	<u>C</u>	<u>C</u>	
<u>744.</u>	<u>Residential</u>	<u>§§ 790.86,</u>			
<u>38</u>	<u>Demolition</u>	<u>207.7, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>744.</u>	<u>Residential</u>	<u>§ 207.8, 317</u>			
<u>39</u>	<u>Division</u>		<u>C</u>	<u>C</u>	<u>C</u>
<u><b>Non-Retail Sales and Services</b></u>					
<u>744.</u>	<u>Other Retail</u>				
<u>40</u>	<u>Sales and</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>	

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	<u>Services [Not Listed Below]</u>				
	<u>744.41 Bar</u>	<u>§ 790.22</u>	<u>P</u>		
	<u>744.43 Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P up to 10,000 gsf per lot; NP above</u>		
	<u>744.44 Restaurant</u>	<u>§ 790.91</u>	<u>P up to 10,000 gsf per lot; NP above</u>		
	<u>744.45 Liquor Store</u>	<u>§ 790.55</u>	<u>C</u>		
	<u>744.46 Movie Theater</u>	<u>§ 790.64</u>			
	<u>744.47 Adult Entertainment</u>	<u>§ 790.36</u>			
	<u>744.48 Other Entertainment</u>	<u>§ 790.38</u>			
	<u>744.49 Services, Professional; Services, Financial; Services, Medical</u>	<u>§§ 790.110, 790.114, 790.116</u>	<u>P when primarily open to the general public on a client-oriented basis</u>		
	<u>744.50 Limited Financial Service</u>	<u>§ 790.112</u>			

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<u>744.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>			
<u>744.54</u>	<u>Massage Establishment</u>	<u>§ 790.60, § 1900 Health Code</u>	<u>C</u>	<u>C</u>	
<u>744.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>			
<u>744.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 790.10, 158.1, 160, 166.</u>	<u>C; subject to criteria of Sec. 158.1.</u>		
<u>744.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
<u>744.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
<u>744.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>		
<u>744.</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			

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<u>60</u>					
<u>744.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
<u>744.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>			
<u>744.62a</u>	<u>Animal Services</u>	<u>§ 224(c)</u>	<u>P for grooming and daycare only. No 24 hour care.</u>		
<u>744.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
<u>744.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
<u>744.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C</u>	
<u>744.65a</u>	<u>Light Manufacturing</u>	<u>§ 790.54(a)</u>	<u>P</u>	<u>P</u>	
<u>744.65b</u>	<u>Wholesale Sales</u>	<u>§ 790.54(b)</u>	<u>P</u>	<u>P</u>	
<u>744.66</u>	<u>Storage</u>	<u>§ 790.117</u>			
<u>744.67</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P</u>	<u>C</u>	
<u>744.</u>	<u>Fringe Financial</u>	<u>§ 790.111</u>			

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<u>68</u>					
<u>744.69c</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.69d</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Institutions and Non-Retail Sales and Services</u>					
<u>744.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
<u>744.81</u>	<u>Assembly and Social Service</u>	<u>§ 790.50(a)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>744.82a</u>	<u>Child Care</u>	<u>§§ 790.50(b), 790.51(a)</u>	<u>P for 12 children or fewer.</u> <u>C for 13 children or more.</u>	<u>P for 12 children or fewer.</u> <u>C for 13 children or more.</u>	
<u>744.82b</u>	<u>Residential Care, Small</u>	<u>§ 790.51(b)</u>		<u>C</u>	<u>C</u>
<u>744.82c</u>	<u>Religious Facility</u>	<u>§ 790.50(d)</u>			
<u>744.84</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>P</u>	<u>P</u>	<u>P</u>



1		<u>Medical</u>				
2	<u>744.</u>	<u>Cannabis</u>	<u>§ 790.141</u>			
3	<u>85</u>	<u>Dispensary</u>				
4				<u>P on first</u>		
5				<u>or second</u>		
6	<u>744.</u>	<u>Office</u>	<u>§ 790.69</u>	<u>P on first or second</u>	<u>or second</u>	
7	<u>86a</u>			<u>floor, but not both</u>	<u>floor, but</u>	
8					<u>not both</u>	
9	<u>744.</u>	<u>Office uses in</u>	<u>§§ 790.69,</u>			
10	<u>86b</u>	<u>Landmark</u>	<u>703.9</u>	<u>P</u>	<u>P</u>	
11		<u>Buildings</u>			<u>P</u>	
12	<b><u>RESIDENTIAL STANDARDS AND USES</u></b>					
13	<u>744.</u>		<u>§§ 145.4,</u>			
14	<u>90</u>	<u>Residential Use</u>	<u>790.88(a)</u>	<u>P</u>	<u>P</u>	
15	<u>744.</u>		<u>§§ 145.4,</u>			
16	<u>90a</u>	<u>SRO Housing</u>	<u>823, 890.88(c)</u>	<u>P</u>	<u>P</u>	
17				<u>C, except NP on</u>		
18				<u>lots with more than</u>		
19	<u>744.</u>	<u>Group Housing</u>	<u>§§ 145.4,</u>			
20	<u>90b</u>		<u>790.88(b)</u>	<u>25 ft of street</u>	<u>C</u>	
				<u>frontage</u>	<u>C</u>	
21	<u>744.</u>					
22	<u>90c</u>	<u>Student Housing</u>	<u>§§ 145.4, 401</u>			
23	<u>744.</u>	<u>Residential</u>	<u>§§ 207, 207.1,</u>			
24	<u>91</u>	<u>Density, Dwelling</u>	<u>207.4, 207.6,</u>	<u>No density limit.</u>		
25						

1		<u>Units</u>	<u>790.88(a)</u>	
2		<u>Residential</u>		
3	<u>744.</u>	<u>Density, Group</u>	<u>§§ 207.1,</u>	<u>No density limit.</u>
4	<u>92</u>	<u>Housing</u>	<u>790.88(b)</u>	
5		<u>Usable Open</u>		
6	<u>744.</u>	<u>Space [Per</u>	<u>§§ 135, 136</u>	<u>Generally, either 80 sq. ft if private, or 100 sq.</u>
7	<u>93</u>	<u>Residential Unit]</u>		<u>ft. if common</u>
8				
9		<u>Off-Street</u>	<u>§§ 145.1, 150,</u>	
10		<u>Parking,</u>	<u>151.1, 153--</u>	<u>None required. P up to 0.5 parking spaces per</u>
11	<u>744.</u>	<u>Residential</u>	<u>157, 159--160,</u>	<u>unit; C up to 0.75 parking spaces per unit.</u>
12	<u>94</u>		<u>166, 167</u>	
13			<u>204.5</u>	
14		<u>Community</u>	<u>§§ 145.1,</u>	
15		<u>Residential</u>	<u>151.1(f),</u>	<u>C; subject to</u>
16	<u>744.</u>	<u>Parking</u>	<u>155(r), 158.1,</u>	<u>criteria of Sec.</u>
17	<u>95</u>		<u>166, 790.10</u>	<u>158.1.</u>

**SEC. 802.1. MIXED USE DISTRICTS.**

...

<b>Districts</b>	<b>Section Number</b>
<u>WMUG – WSoMa Mixed Use – General District</u>	<u>§ 844</u>
<u>WMUO – Western SoMa Mixed Use – Office District</u>	<u>§ 845</u>
<u>SALI – Service/Arts/Light Industrial District</u>	<u>§ 846</u>

2  
3 **SEC. 802.4. EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

4 Throughout the Planning Code, the term "Eastern Neighborhoods Mixed Use Districts"  
5 refers to the following districts: Residential Enclave District (RED), Residential Enclave – Mixed  
6 District (RED-MX), Mixed Use – General (MUG), Western SoMa Mixed Use – General (WMUG),  
7 Mixed Use – Office (MUO), Western SoMa Mixed Use – Office (WMUO), Mixed Use – Residential  
8 (MUR), South Park District (SPD), Service/Arts/Light Industrial (SALI), and Urban Mixed Use  
9 (UMU).

10 **SEC. 802.5. SOUTH OF MARKET MIXED USE DISTRICTS.**

11 Throughout the Planning Code, the term "South of Market Mixed Use Districts" refers  
12 to the following districts: Residential Enclave District (RED), Residential/Service District (RSD),  
13 Service/Light Industrial (SLI), Service/Light Industrial/Residential (SLR), and  
14 Service/Secondary Office (SSO).

15 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**  
16 **DISTRICTS AND SOUTH OF MARKET USE MIXED USE DISTRICTS.**

17 (a) **Use Categories.** A use is the specified purpose for which a property or building is  
18 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Eastern  
19 Neighborhood Mixed Use District and South of Market Mixed Use District is generally set  
20 forth, summarized or cross-referenced in Sections 813.3 through 818 and 840 through ~~843~~847  
21 of this Code for each district class.

22 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts and South of  
23 Market Mixed Use Districts are either permitted, conditional, accessory, temporary or are not  
24 permitted.

1 (1) **Permitted Uses.** If there are two or more uses in a structure, any use not  
2 classified below under Section 803.3(b)(1)(C) of this Code as accessory will be considered  
3 separately as an independent permitted, conditional, temporary or not permitted use.

4 (A) **Principal Uses.** Principal uses are permitted as of right in an Eastern  
5 Neighborhood Mixed Use District and South of Market Mixed Use District, when so indicated  
6 in Sections 813 through 818 and 840 through ~~843~~847 of this Code for the district. Additional  
7 requirements and conditions may be placed on particular uses as provided pursuant to  
8 Section 803.5 through 803.9 and other applicable provisions of this Code.

9 (B) **Conditional Uses.** Conditional uses are permitted in an Eastern  
10 Neighborhood Mixed Use District and South of Market Mixed Use District, when authorized by  
11 the Planning Commission; whether a use is conditional in a given district is generally indicated  
12 in Sections 813 through 818 and 840 through ~~843~~847 of this Code. Conditional uses are  
13 subject to the applicable provisions set forth in Sections 178, 179, 263.11, 303, 316, and  
14 803.5 through 803.9 of this Code.

15 (i) An establishment which sells beer or wine with motor vehicle  
16 fuel is a conditional use, and shall be governed by Section 229.

17 (ii) Notwithstanding any other provision of this Article, a change in  
18 use or demolition of a movie theater use, as set forth in Section 890.64, shall require  
19 conditional use authorization. This Section shall not authorize a change in use if the new use  
20 or uses are otherwise prohibited.

21 (iii) Notwithstanding any other provision of this Article, a change in  
22 use or demolition of a general grocery store use, as set forth in Section 890.102(a) and as  
23 further defined in Section 790.102(a), shall require conditional use authorization. This  
24 Subsection shall not authorize a change in use if the new use or uses are otherwise  
25 prohibited.

1 (iv) Large-Scale Urban Agriculture, as defined in Section  
2 102.35(b), shall require conditional use authorization.

3 (C) **Accessory Uses.** Subject to the limitations set forth below and in  
4 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory  
5 Uses for Uses Other Than Dwellings in R Districts); 204.4 (Dwelling Units Accessory to Other  
6 Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an accessory use is  
7 a related minor use which is either necessary to the operation or enjoyment of a lawful  
8 principal use or conditional use, or is appropriate, incidental and subordinate to any such use,  
9 and shall be permitted as an accessory use in an Eastern Neighborhoods Mixed Use District  
10 and South of Market Mixed Use District. In order to accommodate a principal use which is  
11 carried out by one business in multiple locations within the same general area, such  
12 accessory use need not be located in the same structure or lot as its principal use provided  
13 that (1) the accessory use is located within 1,000 feet of the principal use; and (2) the multiple  
14 locations existed on April 6, 1990 (the effective date of this amendment). Accessory uses to  
15 non-office uses (as defined in Section 890.70) may occupy space which is non-contiguous or  
16 on a different story as the principal use so long as the accessory use is located in the same  
17 building as the principal use and complies with all other restrictions applicable to such  
18 accessory uses. Any use which does not qualify as an accessory use shall be classified as a  
19 principal use.

20 No use will be considered accessory to a principal use which involves or requires any  
21 of the following:

22 (i) The use of more than one-third of the total occupied floor area  
23 which is occupied by both the accessory use and principal use to which it is accessory,  
24 combined, except in the case of accessory off-street parking or loading which shall be subject  
25 to the provisions of Sections 151, 156 and 157 of this Code;

1 (ii) A hotel, motel, inn, hostel, adult entertainment, massage  
2 establishment, large fast food restaurant, or movie theater use in a RED, RED-MX, SPD, RSD,  
3 SLR, SLI, SSO, DTR, MUG, WMUG, MUR, MUO, WMUO, SALI or UMU District;

4 (iii) Any take-out food use, except for a take-out food use which  
5 occupies 100 square feet or less (including the area devoted to food preparation and service  
6 and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery,  
7 retail grocery or specialty food store.

8 (iv) Any sign not conforming to the limitations of Section  
9 607.2(f)(3).

10 (v) Medical Cannabis Dispensaries as defined in 890.133.

11 (vi) Any nighttime entertainment use, as defined in Section 102.17;  
12 provided, however, that a Limited Live Performance Permit as set forth in Police Code Section  
13 1060 et seq. is allowed in any District except for ~~(a) an SLI District that is included in the Western~~  
14 ~~SoMa Planning Area Special Use District or (b) an RED, RED-MX, RSD, SLR, MUR, WMUG, or~~  
15 MUG District.

16 (D) **Temporary Uses.** Temporary uses not otherwise permitted are  
17 permitted in Eastern Neighborhoods Mixed Use Districts and South of Market Mixed Use  
18 Districts to the extent authorized by Sections 205 through 205.3 of this Code.

19 **SEC. 803.6. FORMULA RETAIL USES IN THE CHINATOWN MIXED USE**  
20 **DISTRICTS AND IN THE WESTERN SOMA ~~PLANNING AREA~~ SPECIAL USE DISTRICT.**

21 . . .

22 (b) **Formula Retail Uses.**

23 (1) **Formula Retail Uses Permitted as a Conditional Use.** Formula retail uses  
24 are permitted in the MUG District, UMU District, Western SoMA ~~Planning Area~~ Special Use  
25 District, the Chinatown Community Business District and the Chinatown Residential

1 Neighborhood Commercial District only as a conditional use. When considering an application  
2 for a conditional use permit under this Section, the Planning Commission shall consider the  
3 criteria defined in Section 303(i) of this Code.

4 (2) **Formula Retail Uses Prohibited.** The establishment of new formula retail  
5 uses in the Chinatown Visitor Retail District is prohibited. The establishment of new  
6 Restaurant or Limited-Restaurant uses that are also defined as formula retail in any  
7 Chinatown Mixed Use Districts is prohibited.

8 . . .

9 ~~**SEC. 803.7. PERMIT REVIEW PROCEDURES IN THE WESTERN SOMA PLANNING**~~  
10 ~~**AREA SPECIAL USE DISTRICT ESTABLISHED PURSUANT TO SECTION 823 OF THIS**~~  
11 ~~**CODE.**~~

12 ~~*All building permit applications for demolition, new construction, alterations which expand the*~~  
13 ~~*exterior dimensions of a building, or changes in use to a formula retail use as defined in Section 803.6*~~  
14 ~~*of this Code, a bar as defined in Section 890.22, a walk-up facility as defined in Section 890.140, other*~~  
15 ~~*institution as defined in Section 890.50, a full-service restaurant as defined in Section 890.92, a large*~~  
16 ~~*fast food restaurant as defined in Section 890.91, a small fast-food restaurant as defined in Section*~~  
17 ~~*890.90, a massage establishment as defined in Section 890.60, an outdoor activity area as defined in*~~  
18 ~~*Section 890.71, or an adult or other entertainment use as defined in Sections 890.36 and 890.37,*~~  
19 ~~*respectively, shall be subject to the notification and review procedures required by Section 312 of this*~~  
20 ~~*Code.*~~

21 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

22 (a) ~~**Preservation of Landmark Buildings, Significant or Contributory Buildings Within the**~~  
23 ~~**Extended Preservation District and/or Contributory Historic Buildings Within Designated Historic**~~  
24 ~~**Districts**~~ **within the South of Market Mixed Use Districts.** Within the South of Market Mixed  
25 Use Districts, any use which is permitted as a principal or conditional use within the SSO

1 District, excluding nighttime entertainment use, may be permitted as a conditional use in (a) a  
2 landmark building located outside a designated historic district, (b) a contributory building  
3 which is proposed for conversion to office use of an aggregate gross square footage of 25,000  
4 or more per building and which is located outside the SSO District yet within a designated  
5 historic district, or (c) a building designated as significant or contributory pursuant to Article 11  
6 of this Code and located within the Extended Preservation District. For all such buildings the  
7 following conditions shall apply:

8 (1) the provisions of Sections 316 through 318 of this Code must be met;

9 (2) in addition to the conditional use criteria set out in Sections 303(c)(6) and  
10 316 through 316.8, it must be determined that allowing the use will enhance the feasibility of  
11 preserving the landmark, significant or contributory building; and

12 (3) the landmark, significant or contributory building will be made to conform  
13 with the San Francisco Building Code standards for seismic loads and forces which are in  
14 effect at the time of the application for conversion of use.

15 A contributory building which is in a designated historic district outside the SSO District  
16 may be converted to any use which is a principal use within the SSO District provided that: (1)  
17 such use does not exceed an aggregate square footage of 25,000 per building; and (2) prior  
18 to the issuance of any necessary permits the Zoning Administrator (a) determines that  
19 allowing the use will enhance the feasibility of preserving the contributory building; and (b) the  
20 contributory building will be made to conform with the San Francisco Building Code standards  
21 for seismic loads and forces which are in effect at the time of the application for conversion of  
22 use.

23 ~~*(b) Preservation of Historic Buildings within the MUG, MUO, and MUR Districts. The*~~  
24 ~~*following controls are intended to support the economic viability of buildings of historic importance*~~  
25 ~~*within the MUG, MUO, and MUR Districts.*~~



1           ~~(1) This subsection applies only to buildings that are a designated landmark building or a~~  
2 ~~contributory building within a designated historic district per Article 10 of the Planning Code, or a~~  
3 ~~building listed on or determined eligible for the California Register of Historical Resources by the State~~  
4 ~~Office of Historic Preservation.~~

5           ~~(2) All uses are permitted as of right, provided that:~~

6           ~~(A) The project does not contain nighttime entertainment.~~

7           ~~(B) Prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of~~  
8 ~~the Landmarks Preservation Advisory Board, determines that allowing the use will enhance the~~  
9 ~~feasibility of preserving the building.~~

10           ~~(C) Residential uses meet the affordability requirements of the Residential Inclusionary~~  
11 ~~Affordable Housing Program set forth in Section 315.1 through 315.9.~~

12           ~~(3) The Landmarks Preservation Advisory Board shall review the proposed project for~~  
13 ~~compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any applicable~~  
14 ~~provisions of the Planning Code.~~

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

18           (1) This subsection applies only to buildings in SPD, MUG, MUO, or MUR Districts  
19 that are designated landmark buildings or contributory buildings within a designated historic district  
20 per Article 10 of the Planning Code, or buildings listed on or determined eligible for the California  
21 Register of Historical Resources by the State Office of Historic Preservation.

22           (A) All uses are principally permitted, provided that:

23                   (i) The project does not contain any nighttime entertainment use.

1 (ii) Prior to the issuance of any necessary permits, the Zoning  
2 Administrator, with the advice of the Historic Preservation Commission, determines that allowing the  
3 use will enhance the feasibility of preserving the building.

4 (iii) Residential uses meet the affordability requirements of the  
5 Residential Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.

6 (B) The Historic Preservation Commission shall review the proposed project  
7 for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any  
8 applicable provisions of the Planning Code.

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

14 (A) Retail and office uses, as defined in Planning Code Sections 890.104 and  
15 890.70, respectively, are permitted only with conditional use authorization, pursuant to Planning Code  
16 Section 303, provided that:

17 (i) The project does not contain any nighttime entertainment use.

18 (ii) Prior to the issuance of any necessary permits, the Zoning  
19 Administrator, with the advice of the Historic Preservation Commission, determines that allowing the  
20 use will enhance the feasibility of preserving the building.

21 (B) The Historic Preservation Commission shall review the proposed project  
22 for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any  
23 applicable provisions of the Planning Code.

24 (3) This subsection applies only to buildings that are a designated landmark building  
25 per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant to Article 11 of

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

4 (A) Office uses, as defined in Planning Code Section 890.70, are principally  
5 permitted, provided that:

6 (i) Prior to the issuance of any necessary permits, the Zoning  
7 Administrator, with the advice of the Historic Preservation Commission, determines that allowing the  
8 use will enhance the feasibility of preserving the building.

9 (B) The Historic Preservation Commission shall review the proposed project  
10 for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any  
11 applicable provisions of the Planning Code.

12 . . .

13 **SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.**

14 Residential Enclave Districts (RED) encompass many of the the clusters of low-scale,  
15 medium density, predominantly residential neighborhoods located along the narrow side  
16 streets of the ~~SLR and MUR Districts~~ South of Market area. Within these predominantly  
17 residential enclaves lie a number of vacant parcels, parking lots and other properties in open  
18 storage use. These properties are undeveloped or underdeveloped and are viewed as  
19 opportunity sites for new, moderate-income, in-fill housing.

20 The zoning controls for this district are tailored to the design needs and neighborhood  
21 characteristics of these enclaves and are intended to encourage and facilitate the  
22 development of attractive, compatible and economically feasible in-fill housing while providing  
23 adequate residential amenities to the site and neighborhood.

24 Dwelling units are permitted as a principal use. ~~Social services and institutional uses are~~  
25 ~~permitted as conditional uses. Group housing, retail, entertainment, general commercial and services~~

1 ~~light industrial uses~~ Nonresidential uses, except art related activities, are not permitted, except for  
 2 certain uses in historic buildings. Existing commercial activities in nonresidential structures may  
 3 continue as nonconforming uses subject to the termination requirements of Sections 185 and  
 4 186. ~~Live/work units limited to arts activities are permitted within the district as a principal use.~~  
 5 ~~Existing live/work units with other nonresidential uses may continue as nonconforming uses.~~

6 **Table 813**  
 7 **RED – RESIDENTIAL ENCLAVE DISTRICT**  
 8 **ZONING CONTROL TABLE**

			<b>Residential Enclave</b>
<b>No.</b>	<b>Zoning Category</b>	<b>§ References</b>	<b>Controls</b>
<b>BUILDING STANDARDS</b>			
813.01	Height	See Zoning Map	Generally 40 feet See Sectional Zoning Maps 1, <del>and 7</del> <u>and 8.</u>
813.02	Bulk	§ 270	See Sectional Zoning Maps 1, <del>and 7</del> <u>and 8.</u>
<b>USE STANDARDS</b>			
813.03	Residential Density	§§ 124(b), <del>207.5</del> , 208	<del>No density limit 1:400 for dwelling units; 1 bedroom for each 140 sq. ft. of lot area for group housing</del>

1	813.04	Non-Residential Density	§§ 102.9, 123, 124, 127	Generally, 1.0 to 1 floor area ratio
2				
3	813.05	Usable Open Space for Dwelling Units and Group Housing	§ 135, <del>823</del>	<del>80 sq. ft. per unit</del> <del>60 sq. ft. per unit, if private,</del> <del>80 sq. ft. if common</del>
4				
5	813.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
6				
7	813.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
8				
9	813.09	Outdoor Activity Area	§ 890.71	<u>NP P</u>
10	813.10	Walk-up Facility, <del>except Automated Bank Teller Machine</del>	§ 890.140	<u>NP P</u>
11				
12	<del>813.11</del>	<del>Automated Bank Teller Machine</del>	<del>§ 803.9(d)</del>	<del>NP</del>
13				
14	813.12	Residential Conversion	§ <del>803.8(a)</del> <u>317</u>	<u>NP C</u>
15	813.13	Residential Demolition	§ <del>803.8(a)</del> <u>317</u>	C
16	<b>USES</b>			
17				
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Residential Use			
813.14	Dwelling Units	§ 102.7	P
813.15	Group Housing	§ 890.88(b)	NP
813.16	SRO Units	§ 890.88(c), <u>823</u>	<u>NP P</u>
<u>813.16A</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
<b>Institutions</b>			
813.17	Hospital, Medical Centers	§ 890.44	NP
813.18	Residential Care	§ 890.50(e)	<u>NP €</u>
813.19	Educational Services	§ 890.50(c)	<u>NP €</u>
813.20	Religious Facility	§ 890.50(d)	<u>NP €</u>
813.21	Assembly and Social Service, except Open Recreation or Horticulture	§ 890.50(a)	<u>NP €</u>
813.22	Child Care	§ 890.50(b)	P
813.23	Medical Cannabis Dispensary	§ 890.133	<u>NP P#</u>
<b>Vehicle Parking</b>			
813.25	Automobile Parking Lot,	§ 890.7	<u>NP P</u>

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	Community Residential		
813.26	Automobile Parking Garage, Community Residential	§ 890.8	<u>NP</u> €
813.27	Automobile Parking Lot, Community Commercial	§ 890.9	<u>NP</u> P
813.28	Automobile Parking Garage, Community Commercial	§ 890.10	<u>NP</u> €
813.29	Automobile Parking Lot, Public	§ 890.11	<u>NP</u> P
813.30	Automobile Parking Garage, Public	§ 890.12	<u>NP</u> €
<b>Retail Sales and Service</b>			
813.31	All Retail Sales and Service except per § 813.32	§ 890.104	NP
813.32	Retail Sales and Service Use in a Landmark Building <del>or a</del> <i>Contributory Building in an Historic District</i>	§ 803.9( <u>eb</u> )	C

<b>Assembly, Recreation, Arts and Entertainment</b>			
813.37	Nighttime Entertainment	§§ 102.17, 803.5(b), <u>823</u>	NP
813.38	Meeting Hall, not within § 813.21	§ 221(c)	NP
813.39	Recreation Building, not within § 813.21	§ 221(e)	NP
813.40	Pool Hall, Card Club, not within § 813.21	§§ 221(f), 803.4	NP
813.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	NP
<b>Home and Business Service</b>			
813.42	Trade Shop	§ 890.124	NP
813.43	Catering Services	§ 890.25	NP
813.45	Business Goods and Equipment Repair Service	§ 890.23	NP
813.46	Arts Activities, except within a Live/Work Unit	§ 102.2	<u>CNP</u>
813.47	Business Services	§ 890.111	NP
<b>Office</b>			



1	813.48	Office Uses in Landmark Buildings <del>or</del> <del>Contributory Buildings in</del> <del>Historic Districts</del>	§ 803.9( <del>a</del> <del>b</del> )	C
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5	813.53	All Other Office Uses	§ 890.70	NP
6				
7	<b>Live/Work Units</b>			
8	813.54	Live/Work Unit where the Work Activity is an Arts Activity	§§ 102.2, 102.13, 209.9(f), (g), 233	<u>NP</u> <del>P</del>
9				
10				
11	813.55	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9( <del>a</del> <del>b</del> )	<u>NP</u> <del>C</del>
12				
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16	813.56	All Other Live/Work Units	§§ 102.13, 233	NP
17				
18	<b>Automotive Services</b>			
19	813.57	Vehicle Storage - Open Lot	§ 890.131	NP
20				
21				
22	813.58	Vehicle Storage - Enclosed Lot or Structure	§ 890.132	<u>NP</u> <del>P</del>
23				
24				
25	813.59	Motor Vehicle Service	§§ 890.18, 890.20	NP

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	Station, Automotive Wash		
813.60	Motor Vehicle Repair	§ 890.15	NP
813.61	Motor Vehicle Tow Service	§ 890.19	NP
813.62	Non-Auto Vehicle Sales or Rental	§ 890.69	NP
813.63	Public Transportation Facility	§ 890.80	NP
<b>Industrial</b>			
813.64	Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment, Manufacturing and Processing	§§ 225, 890.54	NP
<b>Other Uses</b>			
813.65	Animal Service	§ 224	NP
813.66	Open Air Sales	§§ 890.38, 803.9( <u>ee</u> )	NP
813.67	Ambulance Service	§ 890.2	NP

1	813.68	Open Recreation	§§ 209.5(a), 209.5(b)	P
2	813.69	Public Use, except	§ 890.80	C
3		Public		
4		Transportation Facility		
5	813.70	Commercial Wireless	§ 227(h)	<u>NP</u> €
6		Transmitting, Receiving		
7		or		
8		Relay Facility		
9	813.71	Greenhouse or Plant	§ 227(a)	NP
10		Nursery		
11	813.72	Mortuary Establishment	§ 227(c)	NP
12	813.73	General Advertising	§ 607.2(b) & (e)	NP
13		Sign		
14	813.74A	Neighborhood	§ 102.35(a)	P
15		Agriculture		
16	813.74B	Large-Scale Urban	§ 102.35(b)	<u>NP</u> €
17		Agriculture		

***SPECIFIC PROVISIONS FOR RED DISTRICTS***

<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
<i>Section</i>	<i>Section</i>	
§ 813.23		<i>–Only those medical cannabis dispensaries that can demonstrate to</i>

§ 890.133		<p><i>the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, State or local law, may apply for a medical cannabis dispensary permit in an RED District.</i></p>
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**SEC. 822. SOUTH OF MARKET SPECIAL HALL OF JUSTICE LEGAL SERVICES DISTRICT.**

The South of Market Special Hall of Justice Legal Services District, as shown on Sectional Map 8SU of the Zoning Map, is governed by Sections 803.9(f), ~~and~~ 817.50 ~~and~~ 846.65b of this Code.

**SEC. 823. WESTERN SOMA ~~PLANNING AREA~~ SPECIAL USE DISTRICT.**

(a) The Western SoMa ~~Planning Area~~ Special Use District, as shown on Section Maps 1SU, 7SU, and 8SU of the Zoning Map, is governed ~~by~~ Sections 803.6 and 803.7 of this Code, and Board of Supervisors Resolution No. 731-04.

~~(b) The area of the City known as Western South of Market ("Western SoMa") is currently undergoing a comprehensive community-based planning process pursuant to Resolution No. 731-04, which was adopted by the Board of Supervisors on November 23, 2004. Resolution 731-04 established a 22-member Western SoMa Citizens Planning Task Force charged with advising the Board of Supervisors and Planning Commission on future planning for the area. The Western SoMa Planning Area Special Use District will further recognition of the Western SoMa as a special planning area of the City.~~

1           ~~(c) Educational Service uses as defined by Section 890.50(c) in the Western SoMa Planning~~  
2 ~~Area Special Use District are subject to conditional use authorization in accordance with Section 303.~~

3           **(b) Design Standards.** The construction of new buildings and alteration of existing buildings  
4 in the Western SoMa Special Use District shall be consistent with the design policies and guidelines of  
5 the “WSoma Design Standards” as adopted and periodically amended by the Planning Commission.

6           **(c) Controls.** All provisions of the Planning Code shall apply except as otherwise provided in  
7 this Section.

8           **(1) Rear Yard.** The requirements of Section 134 shall apply except as follows:

9                   **(A) Front setback credit for rear yards in the RED-MX District.** The required  
10 rear yard in the RED-MX District may be reduced by the distance of any provided front setback, as  
11 measured from the property line to the main building wall. The front setback shall be measured as the  
12 line of greatest depth of any portion of the front building wall that occupies at least ½ the width  
13 between the side lot lines of the property. However, in no case shall the rear yard be reduced to less  
14 than 15 feet.

15                   **(B) Modification.** Only corner lots are eligible for rear yard modifications  
16 from the Zoning Administrator pursuant to Sections 134(f), 134(e,) and 307(h) of this Code.

17           **(2) Open Space.** The requirements of Section 135 shall apply except as follows:

18                   **(A) Publicly Accessible Open Space.** Dwelling units within Eastern  
19 Neighborhood Mixed Use Districts shall provide 80 square feet per unit of useable open space  
20 regardless of whether the open space is privately or publicly accessible. Off-site, publicly accessible  
21 open space shall not qualify as required common open space pursuant to Section 135 of this Code.

22                   **(B) Roof decks.** Roof decks shall not qualify as required private or common  
23 useable open space pursuant to Section 135 of this Code. For the purpose of this section, a roof deck  
24 shall be defined as a deck located on the roof of the highest story of a building, or a deck at the highest  
25

1 story of a building if the enclosed gross floor area of that story is less than 50 percent of the gross  
2 square footage of the footprint of the subject building.

3 (3) **Exposure.** The dwelling unit exposure requirements of Section 140 of this Code  
4 shall apply to all bedrooms in group housing developments in newly constructed buildings, such that  
5 each bedroom faces directly on one of the open areas specified in Section 140.

6 (4) **Nonconforming Uses.** A legal nonconforming nighttime entertainment use located  
7 in a building that is demolished may be re-established within a newly constructed replacement building  
8 on the same lot with a conditional use authorization pursuant to Section 303 of this Code, and pursuant  
9 to the following criteria:

10 (A) The gross floor area of the re-established nonconforming nighttime  
11 entertainment use may be increased up to 25 percent more than the area it occupied in the building  
12 proposed for demolition;

13 (B) If the nonconforming nighttime entertainment use is not re-established in  
14 the new building within three years of vacating the building proposed for demolition it shall be  
15 considered abandoned pursuant to Planning Code Section 183.

16 (5) **Vertical Architectural Elements.** Vertical architectural elements, pursuant to  
17 Section 263.21 of this Code, shall not be permitted.

18 (6) **Good Neighbor Policies.** Good Neighbor Policies for certain uses in the Eastern  
19 Neighborhood Mixed Use Districts, pursuant to Section 803.5(b) of this Code, shall apply throughout  
20 the Western SoMa Special Use District regardless of the underlying zoning district.

21 (7) **Single Room Occupancy (SRO) Units.** SRO units, as defined in Section 890.88(c)  
22 of this Code, shall have a minimum size of 275 gross square feet.

23 (8) **Recreation Facilities.** The demolition of recreation facilities, as defined in Section  
24 890.81 of this Code, shall be governed by the following:

1                    (A) Demolition of an existing recreation facility shall require conditional use  
2 authorization from the Planning Commission, pursuant to Section 303 of this Code. In granting such  
3 conditional use authorization, the Planning Commission must also find the following:

4                    (i) The project sponsor demonstrates that the loss of the recreational  
5 facility and the associated services to the neighborhood or to the population of existing users can be  
6 met by other recreational facilities that:

7                    a. are either existing or proposed as part of the associated  
8 project;

9                    b. are or will be within the boundaries of the Western SoMa  
10 Special Use District; and

11                    c. will provide similar facilities, services, and affordability as the  
12 recreational facility proposed to be removed.

13                    (9) **Buffers from nighttime entertainment and animal services.** Additional  
14 requirements applicable to nighttime entertainment uses and kennels, as defined in Section 224, are as  
15 follows:

16                    (A) **Nighttime entertainment.** No portion of a nighttime entertainment use, as  
17 defined in Section 102.17 of this Code, shall be permitted within 200 linear feet of any property within  
18 a RED or RED-MX District.

19                    (B) **Animal Services.** No portion of an animal service use, as defined in  
20 Section 224 of this Code, and that operates as a 24-hour facility, shall be permitted within 200 linear  
21 feet of an existing building containing a legal residential use, as defined in Section 890.88, within an  
22 RED or RED-MX District.

23                    (10) **Educational Services.** Educational Services, as defined by Section 890.50(c) of  
24 this Code, shall require conditional use authorization pursuant to Section 303 of this Code.  
25

1                    (11) **Formula Retail Uses.** In addition to existing findings required in Planning Code  
2 Section 803.6 for formula retail uses requiring conditional use authorization in the Western SoMa  
3 Special Use District, the Planning Commission shall consider the following criteria.

4                    (A) **Size.** The new formula retail use shall be similar in size to other nearby  
5 retail uses. For the purposes of this subsection, “nearby” shall mean all other retail uses on the subject  
6 and opposite block face.

7                    (B) **Clustering.** The new formula retail use shall have sufficient separation  
8 from other formula retail uses in the area and would thereby avoid clustering. For purposes of this  
9 subsection, “sufficient separation” shall mean no more than two formula retail uses on the proposed  
10 block face and two formula retail uses on the opposite block face.

11                    (C) **Design.** The new formula retail use should:

12                    (i) not be located in a stand-alone building, have a drive-thru window, or  
13 have multiple curb cuts;

14                    (ii) be integrated with non-formula uses within the same building or  
15 development;

16                    (iii) have its primary retail frontage, and provide pedestrian access, from  
17 a public sidewalk and not from a parking lot;

18                    (iv) provide publicly accessible open space whenever possible.

19                    (D) **Other.** The new formula retail use should participate in formalized local  
20 resident job hiring programs.

21                    (12) **Major Developments Requesting Height Bonuses.**

22                    (A) **Applicability.** The controls of this Subsection shall apply to any project  
23 that meets all of the following thresholds:

24                    (i) The project site is greater than .5 acre;

25                    (ii) The project is located within a split height district;





1 d. **Environmental conflicts.** Commercial uses that create  
2 noise, fumes, and light shall be designed to minimize any impacts on sensitive users of the site.  
3 Buildings shall be designed to minimize the impact of wind and shadows on open spaces on the  
4 development site and adjacent properties.

5 e. **Architectural design.** Locate fenestration, decks, doors,  
6 and open spaces to minimize potential on-site conflicts between uses and users (e.g. residential and  
7 commercial uses).

8 (v) Projects on development sites of 3 acres or greater are permitted to  
9 contain up to 24,999 gross square feet of office use, and up to 24,999 gross square feet of retail use,  
10 regardless of the controls of the underlying zoning district.

11 (vi) Projects on development sites greater than .5 acre, but less than 3  
12 acres, shall be subject to the Tier B affordable housing requirements of Section 419.3(b)(2) of this  
13 Code. The residential portions of such projects shall also be subject to the Tier 1 Eastern  
14 Neighborhood infrastructure impact fees, regardless of the Tier level of the subject property.

15 **SEC. 844. WMUG— WSOMA MIXED USE – GENERAL DISTRICT**

16 The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale,  
17 production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is  
18 designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale  
19 distribution, arts production and performance/exhibition activities, general commercial and  
20 neighborhood-serving retail and personal service activities while protecting existing housing and  
21 encouraging the development of housing at a scale and density compatible with the existing  
22 neighborhood.

23 Housing is encouraged over ground floor commercial and production, distribution, and repair  
24 uses. New residential or mixed use developments are encouraged to provide as much mixed-income  
25

family housing as possible. Existing group housing and dwelling units will be protected from demolition or conversion to nonresidential use by requiring conditional use review.

Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted. Office use is restricted to customer-based services on the ground floor.

**Table 844**

**WMUG— WSOMA MIXED USE – GENERAL DISTRICT**

**ZONING CONTROL TABLE**

		<u>WSoma Mixed Use-General District</u>	
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING AND SITING STANDARDS</u></b>			
<u>844.01</u>	<u>Height Limit</u>	<u>See Zoning Map, §§ 260-261.1, 263.20</u>	<u>As shown on Sectional Maps 1 and 7 of the Zoning Map</u> <u>Height sculpting required on narrow streets, §261.1</u>
<u>844.02</u>	<u>Bulk Limit</u>	<u>See Zoning Map, §§ 270, 270.1, 270.2</u>	<u>As shown on Sectional Maps 1 and 7 of the Zoning Map</u> <u>Mid-block alleys required, §270.2</u>
<u>844.03</u>	<u>Non-residential density limit</u>	<u>§§ 102.9, 123, 124, 127</u>	<u>Generally contingent upon permitted height, per Section 124</u>

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844. 04	<u>Setbacks</u>	<u>§§ 136, 136.2, 145.1</u>	<u>Generally not required</u>
844. 05	<u>Awnings and Canopies</u>	<u>§§ 136, 136.1, 136.2</u>	<u>P</u>
844. 06	<u>Parking and Loading Access: Prohibition</u>	<u>§ 155</u>	<u>None</u>
844. 07	<u>Parking and Loading Access: Siting and Dimensions</u>	<u>§§ 145.1, 151.1, 152.1, 155</u>	<u>Requirements apply</u>
844. 08	<u>Off-Street Parking, Residential</u>	<u>§ 151.1</u>	<u>None required. Limits set forth in Section 151.1</u>
844. 10	<u>Off-Street Parking, Non- Residential</u>	<u>§§ 150, 151, 151.1, 153-157, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
844. 11	<u>Usable Open Space for Dwelling Units and Group Housing</u>	<u>§ 135, 823</u>	<u>80 sq.ft. per unit</u>
844. 12	<u>Usable Open Space for Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies based on use; may also pay in-lieu fee</u>
844. 13	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
844.	<u>Hours of Operation</u>	<u>§ 890.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.--</u>

1	14		<u>6 a.m.</u>
2	844.		
3	15	<u>General Advertising Sign</u>	<u>§§ 607.2(b) &amp; (e) and</u> <u>611</u> <u>NP</u>
4	<b><u>Residential Uses</u></b>		
5	844.		
6	20	<u>Dwelling Units</u>	<u>§ 102.7</u> <u>P</u>
7	844.		
8	21	<u>Group Housing</u>	<u>§ 890.88(b)</u> <u>P</u>
9	844.		
10	22	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u> <u>P with minimum SRO unit</u> <u>size of 275 sf</u>
11	844.		
12	23	<u>Student Housing</u>	<u>§102.36</u> <u># C in newly constructed</u> <u>buildings only. NP</u> <u>otherwise</u>
13	844.		
14	24	<u>Dwelling Unit Density</u> <u>Limit</u>	<u>§§ 124, 207.5, 208</u> <u>No density limit</u>
15	844.		
16	25	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u> <u>At least 40% of all dwelling</u> <u>units must contain two or</u> <u>more bedrooms or 30% of</u> <u>all dwelling units must</u> <u>contain three or more</u> <u>bedrooms.</u>
17	844.		
18	26	<u>Affordability Requirements</u>	<u>§ 415</u> <u>In lieu fee, 15% onsite or</u> <u>20% off-site</u>

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844. 27	<u>Residential Demolition or Conversion</u>	<u>§ 317</u>	<u>C</u>
<b><u>Institutions</u></b>			
844. 30	<u>Hospital, Medical Centers</u>	<u>§ 890.44</u>	<u>NP</u>
844. 31	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>C up to 6 beds. NP above</u>
844. 32	<u>Educational Services</u>	<u>§§ 823, 890.50(c)</u>	<u>C</u>
844. 33	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
844. 34	<u>Assembly and Social Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
844. 35	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
844. 36	<u>Medical Cannabis Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>
<b><u>Vehicle Parking</u></b>			
844. 40	<u>Automobile Parking Lot</u>	<u>§§ 890.7, 890.9, 890.11, 157.1</u>	<u>C</u>
844. 41	<u>Automobile Parking Garage</u>	<u>§§ 145.1, 145.4, 155(r), 157.1, 890.8, 890.10, 890.12, 157.1</u>	<u>C</u>

1	<b><u>Retail Sales and Services</u></b>		
2	<u>844.</u>	<u>All Retail Sales and</u>	
3	<u>45</u>	<u>Services which are not</u>	<u>§§ 890.104, 121.6</u>
4		<u>listed below</u>	<u>P up to 10,000 gsf per lot.</u>
5			<u>NP above</u>
6	<u>844.</u>	<u>Formula Retail</u>	<u>§ 803.6</u>
7	<u>46</u>		<u>C</u>
8			<u>C up to 10,000 gsf per lot.</u>
9			<u>NP above. No</u>
10	<u>844.</u>	<u>Ambulance Service</u>	<u>§ 890.2</u>
11	<u>49</u>		<u>ingress/egress onto alleys,</u>
12			<u>as defined in the Western</u>
13			<u>SoMa Community Plan,</u>
14			<u>containing RED or RED-</u>
15			<u>MX Districts</u>
16	<u>844.</u>	<u>Self-Storage</u>	<u>§ 890.54(d)</u>
17	<u>50</u>		<u>NP</u>
18	<u>844.</u>	<u>Tourist Hotel</u>	<u>§ 890.46</u>
19	<u>51</u>		<u>NP</u>
20	<b><u>Assembly, Recreation, Arts and Entertainment</u></b>		
21	<u>844.</u>	<u>Arts Activity</u>	<u>§ 102.2</u>
22	<u>55</u>		<u>P</u>
23	<u>844.</u>	<u>Nighttime Entertainment</u>	<u>§§ 102.17, 181(f),</u>
24	<u>56</u>		<u>803.5(b), 823</u>
25	<u>844.</u>	<u>Adult Entertainment</u>	<u>§ 890.36</u>
			<u>NP</u>

1	<u>57</u>			
2	<u>844.</u>			
3	<u>58</u>	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>C</u>
4	<u>844.</u>			
5	<u>59</u>	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>C</u>
6	<u>844.</u>			
7	<u>60</u>	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>NP</u>
8	<u>844.</u>			
9	<u>61</u>	<u>Pool Hall not falling within</u> <u>Category 890.50(a)</u>	<u>§221 (f)</u>	<u>C</u>
10	<u>844.</u>			
11	<u>63</u>	<u>Recreation Facility</u>	<u>§ 890.81</u>	<u>NP</u>
12	<u>Office</u>			
13	<u>844.</u>	<u>Office Uses in Landmark</u>		
14	<u>65</u>	<u>Buildings</u>	<u>§§ 890.70, 803.9(b)</u>	<u>P</u>
15	<u>844.</u>	<u>Services, Professional;</u>	<u>§§ 790.110, 790.114,</u>	<u>P on the ground floor only if</u>
16	<u>65a</u>	<u>Services, Financial;</u>	<u>790.116</u>	<u>primarily open to the</u>
17		<u>Services, Medical</u>		<u>general public on a client-</u>
18				<u>oriented basis; C above</u>
19				<u>50,000 sq. ft.</u>
20	<u>844.</u>			
21	<u>66</u>	<u>All Other Office Uses</u>	<u>§§ 890.70, 890.118</u>	<u>NP</u>
22	<u>844.</u>			
23	<u>67</u>	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
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<b><u>Motor Vehicle Services</u></b>			
<u>844.70</u>	<u>Vehicle Storage--Open Lot</u>	<u>§ 890.131</u>	<u>NP</u>
<u>844.71</u>	<u>Vehicle Storage--Enclosed Lot or Structure</u>	<u>§ 890.132, 157.1</u>	<u>C subject to 157.1</u>
<u>844.72</u>	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>P with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
<u>844.73</u>	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
<u>844.74</u>	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>C with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
<u>844.75</u>	<u>Non-Auto Vehicle Sales or Rental</u>	<u>§ 890.69</u>	<u>C</u>
<b><u>Industrial, Home, and Business Service</u></b>			

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<u>844.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P</u>
<u>844.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P</u>
<u>844.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P</u>
<u>844.81</u>	<u>Catering Service</u>	<u>§ 890.25</u>	<u>P</u>
<u>844.82</u>	<u>Business Goods and Equipment Repair Service</u>	<u>§ 890.23</u>	<u>P</u>
<u>844.83</u>	<u>Business Service</u>	<u>§ 890.111</u>	<u>P</u>
<u>844.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>C</u>
<u>844.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>NP</u>
<u>844.86</u>	<u>Laboratory, not including life science laboratory</u>	<u>§§ 890.52, 890.53(a)</u>	<u>NP</u>
<u>844.87</u>	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P</u>
<u>844.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u>	<u>NP</u>
<b><u>Other Uses</u></b>			

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<u>844.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u>	<u>NP</u>
<u>844.91</u>	<u>Animal Services</u>	<u>§ 224, 823</u>	<u>P for grooming only. No 24 hour care.</u>
<u>844.92</u>	<u>Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§§ 890.80, 209.6(c), 227(h)</u>	<u>P</u>
<u>844.93</u>	<u>Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
<u>844.94</u>	<u>Internet Services Exchange</u>	<u>§ 209.6(c)</u>	<u>NP</u>
<u>844.95</u>	<u>Public Transportation Facilities</u>	<u>§ 890.80</u>	<u>P</u>
<u>844.96</u>	<u>Open Air Sales</u>	<u>§§ 803.9(e), 890.38</u>	<u>P up to 10,000 gsf per lot. NP above.</u>
<u>844.97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a), 209.5(b)</u>	<u>P</u>
<u>844.97b</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>

1	<u>844.</u>	<u>Large-Scale Urban</u>	<u>§ 102.35(b)</u>	<u>NP</u>
2	<u>97c</u>	<u>Agriculture</u>		
3		<u>Walk-up Facility, including</u>		
4	<u>844.</u>	<u>Automated Bank Teller</u>	<u>§§ 890.140, 803.9(b)</u>	<u>P</u>
5	<u>98</u>	<u>Machine</u>		

**SPECIFIC PROVISIONS FOR WMUG DISTRICTS**

<u>Article Code</u>	<u>Other Code</u>	<u>Zoning Controls</u>
<u>Section</u>	<u>Section</u>	
<u>§ 844.23</u>		<u>Existing buildings may not be converted to Student Housing. Student Housing may only be approved in newly constructed buildings through a conditional use authorization pursuant to Section 303.</u>
<u>§ 102.36</u>		

**SEC. 845. WMUO – WSOMA MIXED USE – OFFICE DISTRICT**

The WSoMa Mixed Use-Office (WMUO) runs predominantly along the Townsend Street corridor between 4<sup>th</sup> Street and 7<sup>th</sup> Street and on 11<sup>th</sup> Street, from Harrison Street to the north side of Folsom Street. The WMUO is designed to encourage office uses along with small-scale light industrial and arts activities. Nighttime entertainment is permitted, although limited by buffers around RED and RED-MX districts.

Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses. Residential uses, large hotels, adult entertainment and heavy industrial uses are not permitted.

**Table 845**  
**WMUO— WSOMA MIXED USE – OFFICE DISTRICT**  
**ZONING CONTROL TABLE**

<b><u>Mixed Use – Office District</u></b>			
<b><u>No.</u></b>	<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING AND SITING STANDARDS</u></b>			
<u>845.01</u>	<u>Height Limit</u>	<u>See Zoning Map,</u> <u>§§ 260-261.1</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u>  <u>Height sculpting required</u> <u>on narrow streets, §261.1</u>
845.02	<u>Bulk Limit</u>	<u>See Zoning Map,</u> <u>§§ 270, 270.1,</u> <u>270.2</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u>  <u>Mid-block alleys required,</u> <u>§270.2</u>

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845.03	<u>Non-residential density limit</u>	<u>§§ 102.9, 123, 124, 127</u>	<u>Generally contingent upon permitted height, per Section 124</u>
845.04	<u>Setbacks</u>	<u>§§ 136, 136.2, 145.1</u>	<u>Generally not required</u>
845.05	<u>Awnings and Canopies</u>	<u>§§ 136, 136.1, 136.2</u>	<u>P</u>
845.07	<u>Parking and Loading Access: Siting and Dimensions</u>	<u>§§ 145.1, 151.1, 152.1, 155</u>	<u>Requirements apply</u>
845.09	<u>Residential to non-residential ratio</u>	<u>§ 803.8(e)</u>	<u>None</u>
845.10	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 150, 151, 151.1, 153-157, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
845.12	<u>Usable Open Space for Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies based on use; may also pay in-lieu fee</u>
845.13	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
845.14	<u>General Advertising Sign</u>	<u>§§ 607.2(b) &amp; (e) and 611</u>	<u>NP</u>

1	<b><u>Residential Uses</u></b>			
2	<u>845.20</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>NP</u>
3	<u>845.21</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>NP</u>
4	<u>845.22</u>	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u>	<u>NP</u>
5	<u>845.23</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
6	<u>845.24</u>	<u>Dwelling Unit Density</u> <u>Limit</u>	<u>§§ 124, 207.5, 208</u>	<u>No density limit</u>
7	<u>845.25</u>	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>At least 40% of all</u> <u>dwelling units must</u> <u>contain two or more</u> <u>bedrooms or 30% of all</u> <u>dwelling units must</u> <u>contain three or more</u> <u>bedrooms.</u>
8	<u>845.26</u>	<u>Affordability</u> <u>Requirements</u>	<u>§ 415</u>	<u>15% onsite /20% off-site</u>
9	<u>845.27</u>	<u>Residential Demolition,</u> <u>Division or Conversion</u>	<u>§ 317</u>	<u>C</u>
10	<b><u>Institutions</u></b>			
11	<u>845.30</u>	<u>Hospital, Medical</u> <u>Centers</u>	<u>§ 890.44</u>	<u>NP</u>
12	<u>845.31</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
13	<u>845.32</u>	<u>Educational Services</u>	<u>§ 823, 890.50(c)</u>	<u>C</u>

1	<u>845.33</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>P</u>
2		<u>Assembly and Social</u>		
3	<u>845.34</u>	<u>Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
4	<u>845.35</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
5		<u>Medical Cannabis</u>		
6	<u>845.36</u>	<u>Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>
7				
8	<b><u>Vehicle Parking</u></b>			
9	<u>845.40</u>	<u>Automobile Parking Lot</u>	<u>§§ 890.7, 890.9,</u> <u>890.11 , 157.1</u>	<u>C</u>
10				
11	<u>845.41</u>	<u>Automobile Parking</u> <u>Garage</u>	<u>§§ 890.8, 890.10,</u> <u>890.12, 157.1</u>	<u>C</u>
12				
13	<b><u>Retail Sales and Services</u></b>			
14		<u>All Retail Sales and</u>		<u>P up to 10,000 gsf per lot;</u>
15	<u>845.45</u>	<u>Services which are not</u>	<u>§§ 890.104,</u> <u>803.9(i), 121.6</u>	<u>C up to 25,000 gsf; NP</u>
16		<u>listed below</u>		<u>above.</u>
17				
18	<u>845.46</u>	<u>Formula Retail</u>	<u>§ 803.6</u>	<u>C up to 25,000 gsf per lot;</u> <u>NP above.</u>
19				
20	<u>845.47</u>	<u>Ambulance Service</u>	<u>§ 890.2</u>	<u>C up to 25,000 gsf per lot;</u> <u>NP above.</u>
21				
22	<u>845.48</u>	<u>Self-Storage</u>	<u>§ 890.54(d)</u>	<u>NP</u>
23	<u>845.49</u>	<u>Tourist Hotel</u>	<u>§ 890.46</u>	<u>P up to 75 rooms</u>
24	<b><u>Assembly, Recreation, Arts and Entertainment</u></b>			
25	<u>845.55</u>	<u>Arts Activity</u>	<u>§ 102.2</u>	<u>P</u>



1	<u>845.56</u>	<u>Nighttime</u>	<u>§§ 102.17, 181(f),</u>	<u>C</u>
2		<u>Entertainment</u>	<u>803.5(b), 823</u>	
3	<u>845.57</u>	<u>Adult Entertainment</u>	<u>§ 890.36</u>	<u>NP</u>
4	<u>845.58</u>	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>NP</u>
5	<u>845.59</u>	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>NP</u>
6	<u>845.60</u>	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>P, up to three screens</u>
7		<u>Pool Hall not falling</u>		
8	<u>845.61</u>	<u>within Category</u>	<u>§ 221(f)</u>	<u>P</u>
9		<u>890.50(a)</u>		
10				
11	<u>845.62</u>	<u>Recreation Building or</u>	<u>§§ 221(e), 823,</u>	<u>P</u>
12		<u>Facility</u>	<u>890.81</u>	
13	<b><u>Office</u></b>			
14		<u>Office Uses in Landmark</u>		
15	<u>845.65</u>	<u>Buildings or</u>	<u>§§ 890.70, 803.9(b)</u>	<u>P</u>
16		<u>Contributory Buildings</u>		
17		<u>in Historic Districts</u>		
18	<u>845.66</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>P</u>
19	<u>845.67</u>	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
20				
21	<b><u>Motor Vehicle Services</u></b>			
22	<u>845.70</u>	<u>Vehicle Storage--Open</u>	<u>§ 890.131</u>	<u>NP</u>
23		<u>Lot</u>		
24	<u>845.71</u>	<u>Vehicle Storage--</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
25		<u>Enclosed Lot or</u>		

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	<u>Structure</u>		
<u>845.72</u>	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>P</u>
<u>845.73</u>	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P</u>
<u>845.74</u>	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>C</u>
<u>845.75</u>	<u>Non-Auto Vehicle Sales or Rental</u>	<u>§ 890.69</u>	<u>P</u>
<b><u>Industrial, Home, and Business Service</u></b>			
<u>845.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P</u>
<u>845.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P</u>
<u>845.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P</u>
<u>845.81</u>	<u>Catering Service</u>	<u>§ 890.25</u>	<u>P</u>
<u>845.82</u>	<u>Business Goods and Equipment Repair Service</u>	<u>§ 890.23</u>	<u>P</u>
<u>845.83</u>	<u>Business Service</u>	<u>§ 890.111</u>	<u>P</u>
<u>845.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P</u>
<u>845.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>P</u>
<u>845.86</u>	<u>Laboratory, not including life science laboratory</u>	<u>§§ 890.52, 890.53(a)</u>	<u>P</u>

1	<u>845.87</u>	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P</u>
2				
3	<u>845.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u>	<u>P in applicable buildings</u>
4	<b><u>Other Uses</u></b>			
5	<u>845.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u>	<u>NP</u>
6				
7	<u>845.91</u>	<u>Animal Services</u>	<u>§ 224, 823</u>	<u>P</u>
8		<u>Public Use, except</u>		
9		<u>Public Transportation</u>		
10		<u>Facility, Internet Service</u>		
11	<u>845.92</u>	<u>Exchange, and</u>	<u>§§ 890.80, 209.6(c),</u>	<u>P</u>
12		<u>Commercial Wireless</u>	<u>227(h)</u>	
13		<u>Transmitting, Receiving</u>		
14		<u>or Relay Facility</u>		
15		<u>Commercial Wireless</u>		
16	<u>845.93</u>	<u>Transmitting, Receiving</u>	<u>§ 227(h)</u>	<u>C</u>
17		<u>or Relay Facility</u>		
18		<u>Internet Services</u>		
19	<u>845.94</u>	<u>Exchange</u>	<u>§ 209.6(c)</u>	<u>C</u>
20		<u>Public Transportation</u>		
21	<u>845.95</u>	<u>Facilities</u>	<u>§ 890.80</u>	<u>P</u>
22		<u>Open Air Sales</u>		
23	<u>845.96</u>		<u>§§ 803.9(e), 890.38</u>	<u>P</u>
24	<u>845.97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a),</u>	<u>P</u>
25			<u>209.5(b)</u>	

1 2	<u>845.97b</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
3 4	<u>845.97c</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>
5 6 7	<u>845.98</u>	<u>Walk-up Facility, including Automated Bank Teller Machine</u>	<u>§§ 890.140, 803.9(b)</u>	<u>P</u>

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

The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings with production, distribution, and repair uses. The district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light industrial activities, with an emphasis on preserving and expanding arts activities. Nighttime entertainment is permitted, although limited by buffers around RED and RED-MX districts. Residential uses, offices, hotels, movie theaters, and adult entertainment uses are not permitted.

**Table 846**

**SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT**

**ZONING CONTROL TABLE**

		<u>SALI District</u>	
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING AND SITING STANDARDS</u></b>			
<u>846.01</u>	<u>Height Limit</u>	<u>See Zoning Map, §§ 260-261.1</u>	<u>As shown on Sectional Maps 1 and 7 of the</u>



1		<u>Access: Siting and Dimensions</u>	<u>152.1, 155</u>	
2				
3	<u>846.09</u>	<u>Residential to non-residential ratio</u>	<u>§ 803.8(e)</u>	<u>None</u>
4				
5	<u>846.10</u>	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 150, 151, 151.1, 153-157, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
6				
7	<u>846.12</u>	<u>Usable Open Space for Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies based on use; may also pay in-lieu fee</u>
8				
9	<u>846.13</u>	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
10				
11	<u>846.14</u>	<u>General Advertising Sign</u>	<u>§§ 607.2(b) &amp; (e) and 611</u>	<u>NP</u>
12				
13	<u>846.15</u>	<u>Hours of Operation</u>	<u>§ 890.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.</u>
14				
15	<b><u>Residential Uses</u></b>			
16	<u>846.20</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>NP</u>
17	<u>846.21</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>NP</u>
18	<u>846.22</u>	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u>	<u>NP</u>
19	<u>846.23</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
20	<u>846.24</u>	<u>Dwelling Unit Density</u>	<u>§§ 124, 207.5, 208</u>	<u>No density limit</u>

1		<u>Limit</u>		
2	<u>846.25</u>	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not applicable</u>
3		<u>Affordability</u>		
4	<u>846.26</u>	<u>Requirements</u>	<u>§ 315</u>	<u>15% onsite /20% off-site</u>
5		<u>Residential Demolition,</u>		
6	<u>846.27</u>	<u>Division or Conversion</u>	<u>§ 317</u>	<u>C</u>
7				
8	<b><u>Institutions</u></b>			
9		<u>Hospital, Medical</u>		
10	<u>846.30</u>	<u>Centers</u>	<u>§ 890.44</u>	<u>NP</u>
11	<u>846.31</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
12	<u>846.32</u>	<u>Educational Services</u>	<u>§§ 823, 890.50(c)</u>	<u>NP</u>
13	<u>846.33</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
14		<u>Assembly and Social</u>		
15	<u>846.34</u>	<u>Service</u>	<u>§ 890.50(a)</u>	<u>P</u>
16		<u>Child Care</u>		
17	<u>846.35</u>		<u>§ 890.50(b)</u>	<u>C</u>
18		<u>Medical Cannabis</u>		
19	<u>846.36</u>	<u>Dispensary</u>	<u>§ 890.133</u>	<u>P#</u>
20	<b><u>Vehicle Parking</u></b>			
21			<u>§§ 890.7, 890.9,</u>	
22	<u>846.40</u>	<u>Automobile Parking Lot</u>	<u>890.11, 157.1</u>	<u>C</u>
23		<u>Automobile Parking</u>	<u>§§ 890.8, 890.10,</u>	
24	<u>846.41</u>	<u>Garage</u>	<u>890.12, 157.1</u>	<u>C</u>
25				

1	<b><u>Retail Sales and Services</u></b>			
2	<u>846.45</u>	<u>All Retail Sales and Services which are not listed below</u>	<u>§§ 890.104, 121.6</u>	<u>P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above.</u>
3				
4				
5	<u>846.46</u>	<u>Formula Retail</u>	<u>§ 803.6</u>	<u>C up to 25,000 gsf per lot; NP above.</u>
6				
7				
8	<u>846.47</u>	<u>Ambulance Service</u>	<u>§ 890.2</u>	<u>C up to 10,000 gsf per lot. NP above. No ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
9				
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14	<u>846.48</u>	<u>Self-Storage</u>	<u>§ 890.54(d)</u>	<u>NP</u>
15	<u>846.49</u>	<u>Tourist Hotel</u>	<u>§ 890.46</u>	<u>NP</u>
16				
17	<b><u>Assembly, Recreation, Arts and Entertainment</u></b>			
18	<u>846.55</u>	<u>Arts Activity</u>	<u>§ 102.2</u>	<u>P</u>
19	<u>846.56</u>	<u>Nighttime Entertainment</u>	<u>§§ 102.17, 181(f), 803.5(b), 823</u>	<u>P</u>
20	<u>846.57</u>	<u>Adult Entertainment</u>	<u>§ 890.36</u>	<u>NP</u>
21	<u>846.58</u>	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>C</u>
22	<u>846.59</u>	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>C</u>
23	<u>846.60</u>	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>P, up to three screens</u>
24				
25				



1		<u>Pool Hall not falling</u>		
2	<u>846.61</u>	<u>within Category</u>	<u>§221(f)</u>	<u>C</u>
3		<u>890.50(a)</u>		
4	<u>846.62</u>	<u>Recreation Building or</u>	<u>§ 221(e), 823,</u>	<u>P</u>
5		<u>Facility</u>	<u>890.81</u>	
6	<b><u>Office</u></b>			
7		<u>Office Uses in Landmark</u>		
8		<u>Buildings or</u>		
9	<u>846.65</u>	<u>Contributory Buildings</u>	<u>§§ 890.70, 803.9(b)</u>	<u>NP</u>
10		<u>in Historic Districts</u>		
11				
12	<u>846.65b</u>	<u>Office Uses Related to</u>	<u>§§ 803.9(f), 822</u>	<u>P in Special Use District,</u>
13		<u>the Hall of Justice</u>		<u>pursuant to § 803.9(f)</u>
14	<u>846.66</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>NP</u>
15	<u>846.67</u>	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
16	<b><u>Motor Vehicle Services</u></b>			
17		<u>Vehicle Storage--Open</u>		
18	<u>846.70</u>	<u>Lot</u>	<u>§ 890.131</u>	<u>NP</u>
19				
20		<u>Vehicle Storage--</u>		
21	<u>846.71</u>	<u>Enclosed Lot or</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
22		<u>Structure</u>		
23		<u>Motor Vehicle Service</u>		<u>P with no ingress/egress</u>
24	<u>846.72</u>	<u>Station, Automotive</u>	<u>§§ 890.18, 890.20</u>	<u>onto alleys, as defined in</u>
25		<u>Wash</u>		<u>the Western SoMa</u>

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			<u>Community Plan,</u> <u>containing RED or RED-</u> <u>MX Districts</u>
846.73	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P with no ingress/egress</u> <u>onto alleys, as defined in</u> <u>the Western SoMa</u> <u>Community Plan,</u> <u>containing RED or RED-</u> <u>MX Districts</u>
846.74	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>P with no ingress/egress</u> <u>onto alleys, as defined in</u> <u>the Western SoMa</u> <u>Community Plan,</u> <u>containing RED or RED-</u> <u>MX Districts</u>
<u>846.75</u>	<u>Non-Auto Vehicle Sales</u> <u>or Rental</u>	<u>§ 890.69</u>	<u>P</u>
<b><u>Industrial, Home, and Business Service</u></b>			
<u>846.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P</u>
<u>846.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P</u>
<u>846.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P</u>
<u>846.81</u>	<u>Catering Service</u>	<u>§ 890.25</u>	<u>P</u>
<u>846.82</u>	<u>Business Goods and</u>	<u>§ 890.23</u>	<u>P</u>

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	<u>Equipment Repair Service</u>		
<u>846.83</u>	<u>Business Service</u>	<u>§ 890.111</u>	<u>P</u>
<u>846.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P</u>
<u>846.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>NP</u>
<u>846.86</u>	<u>Laboratory, not including life science laboratory</u>	<u>§§ 890.52, 890.53(a)</u>	<u>P except subsection (e) of 890.52</u>
<u>846.87</u>	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P</u>
<u>846.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u>	<u>NP</u>
<b><u>Other Uses</u></b>			
<u>846.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u>	<u>P</u>
<u>846.91</u>	<u>Animal Services</u>	<u>§§ 224, 823</u>	<u>P</u>
<u>846.92</u>	<u>Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§§ 890.80, 209.6(c), 227(h)</u>	<u>P</u>
<u>846.93</u>	<u>Commercial Wireless Transmitting, Receiving</u>	<u>§ 227(h)</u>	<u>C</u>

	<u>or Relay Facility</u>		
<u>846.94</u>	<u>Internet Services Exchange</u>	<u>§ 209.6(c)</u>	<u>P</u>
<u>846.95</u>	<u>Public Transportation Facilities</u>	<u>§ 890.80</u>	<u>P</u>
<u>846.96</u>	<u>Open Air Sales</u>	<u>§§ 803.9(e), 890.38</u>	<u>P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above.</u>
<u>846.97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a), 209.5(b)</u>	<u>P</u>
<u>846.97b</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
<u>846.97c</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>
<u>846.98</u>	<u>Walk-up Facility, including Automated Bank Teller Machine</u>	<u>§§ 890.140, 803.9(b)</u>	<u>P</u>

**SPECIFIC PROVISIONS FOR SALI DISTRICTS**

<u>Article Code</u>	<u>Other Code</u>	<u>Zoning Controls</u>
<u>Section</u>	<u>Section</u>	

<u>§ 846.36</u>		<u>Medical cannabis dispensaries in the</u>
<u>§ 890.133</u>		<u>SALI may only operate between the hours</u>
		<u>of 8:00am and 10:00pm.</u>

**SEC. 847. – RED-MX—RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

Residential Enclave-Mixed Districts (RED-MX) encompass some of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the Western SoMa area. Many parcels in these residential enclaves are underdeveloped and represent opportunities for new residential and low-intensity commercial uses.

While residential uses are encouraged throughout these districts, group housing is limited, and student housing and single-room-occupancy units are prohibited. Small-scale retail, restaurants, arts activities, and other commercial uses are principally permitted to create the potential for more active, mixed use alleys. Some automobile-related and production, distribution, and repair uses are also permitted with limitations. Existing commercial activities in nonresidential structures may continue as nonconforming uses subject to the termination requirements of Article 1.7.

**Table 847**

**RED-MX—RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE**

			<b><u>Residential Enclave-Mixed</u></b>
<b><u>No.</u></b>	<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>			
<u>847.01</u>	<u>Height</u>	<u>See Zoning</u>	<u>Generally 45 feet See</u>

1		<u>Map</u>	<u>Sectional Zoning Maps 1 and</u>
2			<u>7</u>
3	<u>847.02</u>	<u>Bulk</u>	<u>§ 270</u>
4			<u>See Sectional Zoning Maps 1</u>
5			<u>and 7</u>
6	<b><u>USE STANDARDS</u></b>		
7	<u>847.03</u>	<u>Residential Density</u>	<u>§§ 124(b), 208</u>
8			<u>No density limit</u>
9	<u>847.04</u>	<u>Non-Residential Density</u>	<u>§§ 102.9, 123,</u>
10			<u>124, 127</u>
11	<u>847.05</u>	<u>Usable Open Space for</u> <u>Dwelling Units and Group</u> <u>Housing</u>	<u>§§ 135, 823</u>
12			<u>80 sq. ft. per unit</u>
13	<u>847.07</u>	<u>Usable Open Space for Other</u> <u>Uses</u>	<u>§ 135.3</u>
14			<u>Varies by use</u>
15	<u>847.09</u>	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>
16			<u>P if located in front; C if</u> <u>located elsewhere § 145.2(a)</u>
17	<u>847.10</u>	<u>Walk-up Facility</u>	<u>§ 890.140</u>
18			<u>NP</u>
19	<u>847.12</u>	<u>Residential Conversion</u>	<u>§ 317</u>
20			<u>NP. C in Article 10</u> <u>Landmark Buildings</u>
21	<u>847.13</u>	<u>Residential Demolition</u>	<u>§ 317</u>
22			<u>C</u>
23	<b><u>USES</u></b>		
24	<b><u>Residential Use</u></b>		
25	<u>847.14</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>
			<u>P</u>

1	<u>847.15</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>C</u>
2				
3	<u>847.16</u>	<u>SRO Units</u>	<u>§§ 823,</u> <u>890.88(c)</u>	<u>NP</u>
4	<u>847.16a</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
5	<b><u>Institutions</u></b>			
6				
7	<u>847.17</u>	<u>Hospital, Medical Centers</u>	<u>§ 890.44</u>	<u>NP</u>
8	<u>847.18</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
9				
10	<u>847.19</u>	<u>Educational Services</u>	<u>§§ 823,</u> <u>890.50(c)</u>	<u>C</u>
11	<u>847.20</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
12	<u>847.21</u>	<u>Assembly and Social Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
13	<u>847.22</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
14				
15	<u>847.23</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>
16	<b><u>Vehicle Parking</u></b>			
17				
18	<u>847.25</u>	<u>Automobile Parking Lot,</u> <u>Community Residential</u>	<u>§§ 890.7, 157.1</u>	<u>C</u>
19				
20	<u>847.26</u>	<u>Automobile Parking Garage,</u> <u>Community Residential</u>	<u>§§ 890.8, 157.1</u>	<u>C</u>
21				
22	<u>847.27</u>	<u>Automobile Parking Lot,</u> <u>Community Commercial</u>	<u>§§ 890.9, 157.1</u>	<u>C</u>
23				
24	<u>847.28</u>	<u>Automobile Parking Garage,</u> <u>Community Commercial</u>	<u>§§ 890.10,</u> <u>157.1</u>	<u>C</u>
25				

1	<u>847.29</u>	<u>Automobile Parking Lot,</u>	<u>§§ 890.11,</u>	<u>C</u>
2		<u>Public</u>	<u>157.1</u>	
3	<u>847.30</u>	<u>Automobile Parking Garage,</u>	<u>§§ 890.12,</u>	<u>C</u>
4		<u>Public</u>	<u>157.1</u>	
5	<b><u>Retail Sales and Service</u></b>			
6	<u>847.31</u>	<u>All Retail Sales and Services</u>	<u>§ 890.104</u>	<u>NP</u>
7		<u>which are not listed below</u>		
8	<u>847.32</u>	<u>Retail Sales and Service Use in</u>	<u>§ 803.9(b)</u>	<u>C</u>
9		<u>a Landmark Building</u>		
10	<u>847.33</u>	<u>Formula Retail</u>	<u>§ 803.6</u>	<u>NP</u>
11	<u>847.34a</u>	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P up to 1,250 gsf per lot. C</u>
12				<u>above. NP above 1 FAR</u>
13	<u>847.34b</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P up to 1,250 gsf per lot. C</u>
14				<u>above. NP above 1 FAR</u>
15	<u>847.35</u>	<u>Other Retail Sales and</u>	<u>§ 890.102</u>	<u>P up to 1,250 gsf per lot. C</u>
16		<u>Services</u>		<u>above. NP above 1 FAR</u>
17	<u>847.36</u>	<u>Personal Service</u>	<u>§ 890.116</u>	<u>P up to 1,250 gsf per lot. C</u>
18				<u>above. NP above 1 FAR</u>
19	<b><u>Assembly, Recreation, Arts and Entertainment</u></b>			
20	<u>847.37</u>	<u>Nighttime Entertainment</u>	<u>§§ 102.17,</u>	<u>NP</u>
21			<u>803.5(b), 823</u>	
22	<u>847.38</u>	<u>Meeting Hall, not within §</u>	<u>§ 221(c)</u>	<u>NP</u>
23		<u>813.21</u>		



1	<u>847.39</u>	<u>Recreation Building or Facility</u>	<u>§§ 221(e), 823,</u> <u>890.81</u>	<u>NP</u>
2				
3	<u>847.40</u>	<u>Pool Hall, Card Club, not</u> <u>within § 813.21</u>	<u>§§ 221(f),</u> <u>803.4</u>	<u>NP</u>
4				
5	<u>847.41</u>	<u>Theater, falling within §</u> <u>221(d), except Movie Theater</u>	<u>§§ 221(d),</u> <u>890.64</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
6				
7	<b><u>Home and Business Service</u></b>			
8				
9	<u>847.42</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
10				
11	<u>847.43</u>	<u>Catering Services</u>	<u>§ 890.25</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
12				
13	<u>847.45</u>	<u>Business Goods and</u> <u>Equipment Repair Service</u>	<u>§ 890.23</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
14				
15	<u>847.46</u>	<u>Arts Activities, except within a</u> <u>Live/Work Unit</u>	<u>§ 102.2</u>	<u>P up to 1 FAR. C above. NP</u> <u>above 1.5 FAR.</u>
16				
17	<u>847.47</u>	<u>Business Services</u>	<u>§ 890.111</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
18				
19	<b><u>Office</u></b>			
20				
21	<u>847.48</u>	<u>Office Uses in Landmark</u> <u>Buildings</u>	<u>§ 803.9(b)</u>	<u>C</u>
22				
23	<u>847.53</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>NP</u>
24	<b><u>Live/Work Units</u></b>			
25	<u>847.54</u>	<u>Live/Work Unit where the</u>	<u>§§ 102.2,</u>	<u>NP</u>

1		<u>Work Activity is an Arts Activity</u>	<u>102.13, 209.9(f)(g), 233</u>	
2				
3	<u>847.55</u>	<u>Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts</u>	<u>§ 803.9(b)</u>	<u>NP</u>
4				
5				
6	<u>847.56</u>	<u>All Other Live/Work Units</u>	<u>§§ 102.13, 233</u>	<u>NP</u>
7				
8				
9	<b><u>Automotive Services</u></b>			
10	<u>847.57</u>	<u>Vehicle Storage--Open Lot</u>	<u>§ 890.131</u>	<u>NP</u>
11	<u>847.58</u>	<u>Vehicle Storage--Enclosed Lot or Structure</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
12				
13	<u>847.59</u>	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>NP</u>
14				
15	<u>847.60</u>	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P up to 1,250 gsf per lot. C above. NP above 1 FAR</u>
16				
17	<u>847.61</u>	<u>Motor Vehicle Tow Service</u>	<u>§ 890.19</u>	<u>NP</u>
18				
19	<u>847.62</u>	<u>Non-Auto Vehicle Sales or Rental</u>	<u>§ 890.69</u>	<u>NP</u>
20				
21	<u>847.63</u>	<u>Public Transportation Facility</u>	<u>§ 890.80</u>	<u>NP</u>
22	<b><u>Industrial</u></b>			
23	<u>847.13</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P up to 1,250 gsf per lot. C above. NP above 1 FAR</u>
24				
25	<u>847.13a</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P up to 1,250 gsf per lot. C</u>

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			<i>above. NP above 1 FAR</i>
847.13b	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P up to 1,250 gsf per lot. C</u> <i>above. NP above 1 FAR</i>
847.13c	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>NP</u>
847.13d	<u>Laboratory, not including life science laboratory</u>	<u>§§ 890.52, 890.53(a)</u>	<u>NP</u>
847.13e	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P up to 1,250 gsf per lot. C</u> <i>above. NP above 1 FAR</i>
<b><u>Other Uses</u></b>			
847.66	<u>Open Air Sales</u>	<u>§§ 890.38, 803.9(e)</u>	<u>P up to 1,250 gsf per lot. C</u> <i>above. NP above 1 FAR</i>
847.69	<u>Public Use, except Public Transportation Facility</u>	<u>§ 890.80</u>	<u>C</u>
847.68	<u>Open Recreation</u>	<u>§§ 209.5(a), 209.5(b)</u>	<u>P</u>
847.74a	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
847.74b	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>

1                    **SEC. 890.81. RECREATION FACILITY.**

2                    A publicly or privately owned facility of at least 10,000 gross square feet that offers free or fee-  
3 based membership to the general public and is used for recreational activities such as ice skating,  
4 bowling, swimming, soccer, tennis, racquetball, basketball, softball, baseball, and similar activities.  
5 The facility may also include play areas for children and accessory accommodations such as locker  
6 rooms and activity rooms.

7  
8                    **SEC. 890.88. RESIDENTIAL USE.**

9                    . . .

10                  (c) **Single Room Occupancy (SRO) Unit.** A dwelling unit or group housing room  
11 consisting of no more than one occupied room with a maximum gross floor area of 350 square  
12 feet and meeting the Housing Code's minimum floor area standards. The unit may have a  
13 bathroom in addition to the occupied room. As a dwelling unit, it would have a cooking facility  
14 and bathroom. As a group housing room, it would share a kitchen with one or more other  
15 single room occupancy unit/s in the same building and may also share a bathroom. A single  
16 room occupancy building (or "SRO" building) is one that contains no residential uses other than  
17 only SRO units and ~~non non~~ accessory living space.

18  
19                  Section 3. Effective Date. This ordinance shall become effective 30 days from the  
20 date of passage.

21  
22                  Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to  
23 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,  
24 punctuation, charts, diagrams, or any other constituent part of the Name of Code here Code  
25 that are explicitly shown in this legislation as additions, deletions, Board amendment

1 additions, and Board amendment deletions in accordance with the "Note" that appears under  
2 the official title of the legislation.

3

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

6 By:

7 ANDREA RUIZ-ESQUIDE  
8 Deputy City Attorney

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