BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

	MENORMIDON							
Date:		September 15, 2025						
	То:	Planning Department/Planning Commission						
	From:	John Carroll, Assistant Clerk, Land Use and Transportation Committee						
	Subject:	Board of Supervisors Legislation Referral - File No. 250886 Planning Code - Adaptive Reuse of Historic Buildings						
\boxtimes	(Californi ⊠							
\boxtimes	(Planning	Amendment to the Planning Code, including the following Findings: (Planning Code, Section 302(b): 90 days for Planning Commission review) □ General Plan □ Planning Code, Section 101.1 □ Planning Code, Section 302						
		nent to the Administrative Code, involving Land Use/Planning ule 3.23: 30 days for possible Planning Department review)						
	(Charter, (Requires subdivision relocation public ho the annu	General Plan Referral for Non-Planning Code Amendments (Charter, Section 4.105, and Administrative Code, Section 2A.53) (Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)						
		Preservation Commission Landmark (Planning Code, Section 1004.3) Cultural Districts (Charter, Section 4.135 & Board Rule 3.23)						
 □ Mills Act Contract (Government Code, Section 50280) □ Designation for Significant/Contributory Buildings (Planning Code, Article 11) 								
	ш.	Designation for dignificant, Contributory Dundings (1 mining Cone, 211mm 11)						

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

1	[Planning Code - Adaptive Reuse of Historic Buildings]					
2						
3	Ordinance amending the Planning Code to allow additional uses as principally or					
4	conditionally permitted in Historic Buildings citywide, exempt Historic Buildings in					
5	certain Eastern Neighborhood Plan Areas from Conditional Use authorization					
6	otherwise required to remove Production, Distribution, and Repair (PDR), Institutional					
7	Community, and Arts Activities uses, and from providing replacement space for such					
8	uses, make conforming amendments to provisions affected by the foregoing, including					
9	zoning control tables; affirming the Planning Department's determination under the					
10	California Environmental Quality Act; making findings of consistency with the General					
11	Plan, and the eight priority policies of Planning Code, Section 101.1, and making					
12	findings of public necessity, convenience, and general welfare under Planning Code,					
13	Section 302.					
14	NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in <u>single-underline italics Times New Roman font</u> .					
15	Deletions to Codes are in strikethrough italies Times New Roman font. Board amendment additions are in double-underlined Arial font.					
16	Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code					
17	subsections or parts of tables.					
18						
19	Be it ordained by the People of the City and County of San Francisco:					
20						
21	Section 1. Environmental and Land Use Findings.					
22	(a) The Planning Department has determined that the actions contemplated in this					
23	ordinance comply with the California Environmental Quality Act (California Public Resources					
24	Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of					

1	Supervisors in File No and is incorporated herein by reference. The Board
2	affirms this determination.
3	(b) On, 2025, the Planning Commission, in Resolution No.
4	, adopted findings that the actions contemplated in this ordinance are consistent, on
5	balance, with the City's General Plan and eight priority policies of Planning Code Section
6	101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with
7	the Clerk of the Board of Supervisors in File No and is incorporated herein by
8	reference.
9	(c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
10	amendment will serve the public necessity, convenience, and welfare for the reasons set forth
11	in Planning Commission Resolution No, and the Board incorporates such reasons
12	herein by reference.
13	
14	Section 2. Articles 1.2, 1.7, 2, 3, 7, and 8 of the Planning Code are hereby amended by
15	adding Sections 202.11 and 205.8; revising Sections 136.1, 209.1, 209.2, 209.3, 209.4,
16	210.1, 210.2, 722, 757, 758, 803.3, 803.9, 825, and 830 through 840; and deleting Sections
17	186.3, 310, and 703.9, to read as follows:
18	
19	SEC. 136.1. AWNINGS, CANOPIES AND MARQUEES.
20	In addition to the limitations of Section 136, especially Paragraph subsection 136(c)(12),
21	the following provisions shall apply to all Districts.
22	In Residential and Residential Enclave Districts, awnings are permitted only for Limited
23	Commercial Uses, as described in Section 186 of this Code, for Limited Commercial Uses
24	permitted in <i>landmark <u>Historic</u> b<u>B</u>uildings by Section <u>186.3</u> <u>202.11</u>, and for Limited Corner</i>
25	

1	Commercial Uses as described in Section 231 of this Code. Canopies and marquees are not
2	permitted.
3	The addition or alteration of awnings, canopies, or marquees on a landmark site or in a
4	historic district shall require a certificate of appropriateness in accordance with Section 1006,
5	et seq. of this Code. Signage on awnings, canopies, and marquees may be further regulated
6	by Article 6 of this Code.
7	* * * *
8	
9	SEC. 186.3. NON-RESIDENTIAL USES IN LANDMARK BUILDINGS IN RH, RM, RTO,
10	AND RTO-M DISTRICTS.
11	Any use listed as a Principal or Conditional Use permitted on the ground floor in an NC-1
12	District, when located in a structure on a landmark site designated pursuant to Article 10 of this Code,
13	is permitted with Conditional Use authorization pursuant to Section 303 of this Code, provided that no
14	Conditional Use shall be authorized under this provision unless (1) such authorization conforms to the
15	applicable provisions of Section 303 of this Code, and (2) the specific use so authorized is essential to
16	the feasibility of retaining and preserving the landmark.
17	
18	SEC. 202.11. PERMITTED USES IN HISTORIC BUILDINGS.
19	(a) Purpose. The following controls are intended to support and encourage the preservation of
20	buildings of historic importance and support neighborhood vitality, by allowing more flexible uses of
21	Historic Buildings and therefore improving the economic feasibility of their adaptive reuse.
22	(b) Applicability. This Section 202.11 applies only to Historic Buildings as defined in Section
23	102. Nothing in this Section 202.11 affects review by the Historic Preservation Commission to the

extent required by Articles 10 or 11 of this Code or Charter Section 4.135.

24

1	(c) Planning Approval. This Section 202.11 applies only to projects that meet all of the criteria						
2	set forth in this subsection (c).						
3	(1) For Uses that are not permitted or are conditionally permitted in the District in						
4	which they are located, prior to the issuance of any necessary permits, the project must obtain a						
5	Planning Director determination that allowing the Use will enhance the feasibility of adaptive reuse of						
6	the Historic Building.						
7	(2) The project must obtain a Planning Department determination that the project						
8	complies with the Secretary of the Interior's Standards (36 C.F.R. § 67.7 (2001)), and any applicable						
9	provisions of the Planning Code.						
10	(3) Any Residential Uses in the project shall comply with the Residential Inclusionary						
11	Affordable Housing Program set forth in Sections 415 et seq., 415A et seq., and 415B et seq., as						
12	applicable.						
13	(4) Projects in Neighborhood Commercial Districts and Neighborhood Commercial						
14	Transit Districts shall comply with Non-Residential Use Size limits pursuant to Section 121.2. In all						
15	other districts, no Non-Residential Use Size limits shall apply.						
16	(5) Temporary Uses may be authorized by the Planning Director pursuant to Section						
17	<u>205.8.</u>						
18	(6) All applicable conditions shall continue to apply, including but not limited to the						
19	location and operating conditions set forth in Section 202.2.						
20	(d) Uses Permitted in Historic Buildings to Facilitate Preservation and Adaptive Reuse.						
21	Notwithstanding the zoning controls otherwise applicable in the District where the project is located,						
22	and subject to subsections (b) and (c) of this Section 202.11, Uses in Historic Buildings shall be						
23	permitted as follows:						
24	(1) Residential Districts. In RH, RM, and RTO Districts, when located in a Historic						
25	Building, any Use that is not permitted in the District and is listed as a Principal or Conditional Use on						

1	the ground floor in the NC-1 District (for properties other than Historic Buildings), is permitted with					
2	Conditional Use authorization pursuant to Section 303.					
3	(2) Eastern Neighborhoods Mixed Use Districts and Downtown Residential Districts:					
4	(A) CMUO, MUG, MUO, MUR, SALI, SPD, UMU, WMUG, and WMUO					
5	Districts and DTR Districts. All Uses shall be Principally Permitted in Historic Buildings, except					
6	Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall					
7	be Principally Permitted.					
8	(B) RED and RED-MX Districts. Uses are permitted in Historic Buildings as					
9	<u>follows:</u>					
10	(i) Principally Permitted Uses. Arts Activities, Community Facility,					
11	Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and					
12	Trade School Uses are Principally Permitted.					
13	(ii) Conditionally Permitted Uses. Retail Sales and Services Uses and					
14	Office Uses are Conditionally Permitted pursuant to Planning Code Section 303, except that the zoning					
15	controls for Adult Business and Adult Sex Venue Uses as set forth in the controls for the District shall					
16	continue to apply.					
17	(3) Neighborhood Commercial Districts. Any Use that is Conditionally Permitted in the					
18	Neighborhood Commercial District in which the property is located shall be Principally Permitted in a					
19	Historic Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and					
20	Light Manufacturing shall be Principally Permitted. Any Use that is not permitted in the Neighborhood					
21	Commercial District in which a property is located shall be Conditionally Permitted in a Historic					
22	Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light					
23	Manufacturing shall be Conditionally Permitted.					
24						
25						

1	(4) Commercial and Residential-Commercial Districts. In C-2, C-3, and RC Districts,
2	all Uses shall be Principally Permitted in Historic Buildings, except Industrial Uses; provided that
3	Agricultural and Beverage Processing 1 and Light Manufacturing shall be Principally Permitted.
4	(5) All other Districts. In any District not specifically listed in subsections (d)(1)-(4):
5	(A) Principally Permitted Uses. Any Use that is Conditionally Permitted in the
6	District in which the property is located shall be Principally Permitted in a Historic Building, except
7	Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall
8	be Principally Permitted.
9	(B) Conditionally Permitted Uses. Any Use that is not permitted in the District
10	in which a property is located shall be Conditionally Permitted in a Historic Building, except Industrial
11	Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall be
12	Conditionally Permitted.
13	
14	SEC. 205.8. TEMPORARY USES: HISTORIC BUILDINGS
15	(a) Temporary Uses may be authorized by the Planning Director for Historic Buildings in
16	accordance with Section 202.11 and this Section 205.8.
17	(b) Initial Period. The Planning Director may authorize any Retail Sales and Service or
18	Entertainment, Arts and Recreation Use as a temporary use under Section 205 et seq., within any
19	vacant Non-Residential space in a Historic Building. Such temporary use shall be limited to an initial
20	term of six years.
21	(c) Extension. Upon the Planning Director's written determination that permits for the
22	Historic Building are being and have been diligently pursued, and that the temporary use has been
23	consistent with public convenience, necessity, or the general welfare of the City, the Planning Director
24	is authorized to permit the temporary use to exceed the Initial Period for an additional period of up to
25	

1 six years. This extension shall require a separate determination of the Planning Director, and the 2 authorization of the temporary use may not exceed a total duration of 12 years. 3 SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS. 4 5 Table 209.1 6 7 **ZONING CONTROL TABLE FOR RH DISTRICTS** Zoning § RH-3 8 RH-RH-1 RH-1(S) RH-2 9 Category References 1(D) * * * * 10 11 RESIDENTIAL STANDARDS AND USES 12 13 **Residential Uses** 14 15 P, up to one P, up to one Residential 16 bedroom for bedroom for NP (3) NP (3) NP (3) Density, 17 § 208 every 415 every 275 (10)(10)(10)Group 18 square feet of square feet of Housing 19 lot area. lot area. 20 * * * * 21 **NON-RESIDENTIAL STANDARDS AND USES** 22 **Development Standards** 23

24

Limited	§ § 186 , <i>186.3</i>	Continui	ing nonconfo	ming uses	are permitte	d, subject to
Commercial		the requ	irements of §	186. <i>Limi</i>	ted Commercia	al Uses may be
Uses		condition	ally permitted	'in historic	buildings subj	ect to § 186.3.
* * * *						
Non-Residenti	al Uses					
Uses in History	ic Buildings					
Historic Buildi	ngs §§	In Histor	ric Buildings, a	ny Use liste	ed as NP belov	v is C, if it is C or
	<u>202.11;</u>	P on the	ground floor is	n the NC-1	District.	
	<u>710</u>					
Agricultural	Use Category					
* * * *						
* * *	*					
(3) <i>{No</i>	rte Deleted] C pi	ırsuant to	Sections 202.1	1 and 710.		
* * *	*					
SEC. 20)9.2. RM (RESI	IDENTIAL	_, MIXED) DI	STRICTS.		
* * *	*		•			
			Table 2	09.2		
	ZON	IING CON	ITROL TABL	E FOR RI	M DISTRICTS	6
Zoning Cate	gory § Ref	erences	RM-1	RM-2	RM-3	RM-4
* * * *	•				·	·
NON-RESIDENTIAL STANDARDS AND USES						
Developmen	Development Standards					

	T					
* * * *						
Limited	§ § 186 , <i>186.3</i>	Continuing nonconforming uses are permitted, subject to				
Commercial		the re	equirements of §	186. <i>Limited Commercial Uses may</i>		
Uses		be co i	nditionally permitte	d in historic buildings subject to §		
	186.3.					
* * * *						
Non-Residential Us	<u>ses</u>					
Uses in Historic Bi	<u>uildings</u>					
Historic Buildings	§§ 202.11;	<u>In His</u>	storic Buildings, an	y Use listed as NP below is C, if it is		
	<u>710</u>	C or I	P on the ground floo	or in the NC-1 District.		
Agricultural Use	Category					
* * * *						
* * * *						
SEC. 209.3.	RC (RESIDEN	TIAL-(COMMERCIAL) D	ISTRICTS.		
* * * *						
			Table 209.3			
ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS						
Zoning Category	§ Reference	ces	RC-3	RC-4		
* * * *						
NON-RESIDENTI	NON-RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *					
Non-Residential Us	Non-Residential Uses					
	Usos in Historic Ruildings					

Uses in Historic Buildings

<u>Historic Buildings</u>	§ 202.11	<u>In I</u>	Historic Buildings, all	Uses are P except certain Industria	
		<u>Use</u>	Uses as specified in § 202.11.		
Agricultural Use	Category				
* * * *					
* * * *					
SEC. 209.4	RTO (RESID	ENTIA	AL TRANSIT ORIEN	NTED) DISTRICTS.	
* * * *					
			Table 209.4		
	ZONING CO	ONTR	OL TABLE FOR RI	O DISTRICTS	
Zoning Category	§ Refere	nces	RTO	RTO-M	
* * * *	1		,		
NON-RESIDENT	AL STANDAI	RDS A	ND USES		
* * * *					
Non-Residential U	ses				
Uses in Historic Bi	uildings				
Historic Buildings	§§ 202.11;	<u>In I</u>	Historic Buildings, an	y Use listed as NP below is C, if it i	
	<u>710</u>	<u>C o</u>	or P on the ground flo	or in the NC-1 District.	
Agricultural Use Category					
* * * *					
* * * *					
	. C-2 DISTRIC	TS: C	OMMUNITY BUSIN	IESS.	
* * * *					
			Table 210.1		

ZONING CONTROL TABLE FOR C-2 DISTRICTS								
Zoning Category § Referenc		es C-2						
* * * *								
NON-RESIDENTI	AL STANDARD	S AND USE	S					
* * * *								
Non-Residential Us	<u>ses</u>							
<u>Uses in Historic Bu</u>	<u>iildings</u>							
Historic Buildings	§§ 202.11	<u>In Historic Bi</u>	uildings, all Us	es are P, e	except certa	in Industrial		
		<u>Uses as speci</u>	fied in § 202.11	<u>1.</u>				
Agricultural Use	Category							
* * * *								
* * * *								
SEC. 210.2.	C-3 DISTRICTS	: DOWNTO	WN COMMER	RCIAL.				
* * * *								
		Table 2	210.2					
	ZONING CON	ITROL TABI	E FOR C-3 [DISTRICT	s			
Zoning Category	§ References	C-3-O	C-3-O(SD)	C-3-R	C-3-G	C-3-S		
* * * *								
NON-RESIDENTI	AL STANDARD	S AND USE	S					
: * * *								
Non-Residential Us	ses							
Uses in Historic Bu	<u>iildings</u>							
Historic Buildings	§§ 202.11	In Histori	c Buildings, all	! Uses are	P, except c	ertain_		
		Industrial Uses as specified in § 202.11.						

1 Agricultural Use Category 2 3 4 5 SEC. 310. ZONING PROCEDURES NOT TO APPLY TO ARTICLE 10. 6 Notwithstanding any other provision of this Code, the procedures set forth in this Article 3 7 (Sections 301 through 309 of this Code) shall not apply to Article 10, Preservation of Historical, 8 Architectural and Aesthetic Landmarks; the procedures applicable to Article 10 are included therein. 9 10 SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM 11 STREET NCT AND RCD DISTRICTS. 12 The following controls are intended to support the economic viability of buildings of historic 13 importance within the Folsom NCT and RCD Districts. 14 (a) Applicability. This Section 703.9 applies only to buildings that are a designated 15 landmark building per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant 16 to Article 11 of this Code and located within the Extended Preservation District, or a building listed in 17 or determined individually eligible for or contributory to a district listed on the National Register of 18 Historic Places or the California Register of Historical Resources by the State Office of Historic 19 Preservation. 20 (b) **Permitted uses.** Non-Retail Professional Service, Retail Professional Service, Community 21 Facility, Private Community Facility, Social Service and Philanthropic Facility, Financial Service, 22 Gym, Limited Financial Service, Health Service, Personal Service, and Instructional Service uses as 23 defined in Section 102, are Principally Permitted. In the RCD District only, in addition to the above

uses, Nighttime Entertainment uses as defined in Section 102 require Conditional Use authorization on

the third floor and above, except that Nighttime Entertainment uses are Principally Permitted in Article

24

25	Residential Uses		Controls by Story			
24	* * * *					
23	RESIDENTIAL STANDARDS AND USES					
22	* * * *					
21	Zoning Category	§ References	Controls			
20	* * * *					
19	SEC. 722. NC	ORTH BEACH NEIG	HBORHOOD COMMERCIAL DISTRICT.			
18						
17	applicable provisions (of the Planning Code.				
16	for compliance with th	e Secretary of the Inte	rior's Standards (36 C.F.R. § 67.7 (2001)) and any			
15	(c) Project I	R <mark>eview.</mark> The Historic I	Preservation Commission shall review the proposed projec			
14	compliance with this st	ubsection 703.9(b).				
13	(iv) such o	other information as th	ne Department may require in order to determine			
12	— (iii) -a cons	struction schedule; an	d			
11	seismic, life safety, or a	disability access work	;			
10	preservation work to b	e conducted at the sul	pject property, including information about any required			
9	 (ii) inform	ation regarding the ne	ature and cost of any rehabilitation, restoration, or			
8	(i) a plan j	for the ongoing mainte	enance of the subject property;			
7	Plan shall include:					
6	guarantees the mainter	nance and upkeep of th	he historic resource for approval by the Department. This			
5	Maintenance Plan that	t describes any propos	red preservation and rehabilitation work and that			
4	preserving the building	g. The project sponsor	must also submit a Preservation, Rehabilitation, and			
3	Historic Preservation Commission, shall determine that allowing the use will enhance the feasibility of					
2	prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of the					
1	10 Landmark Building No. 120 (St. Joseph's Church at 1401 Howard Street). For all uses listed above					

		1st	2nd	3rd +
Residential Uses	§ 102	NP <u>(3)</u> (11)	Р	Р
* * * *				
NON-RESIDENTIA	AL STANDARDS A	ND USES		
* * * *				
* * * *			Controls by	Story
		1st	2nd	3rd +
Uses in Historic Bu	<u>ildings</u>			
<u>Historic Buildings</u>	§ 202.11	In Historic Bu	ildings, Uses lis	sted below as N
		are C and Use	s listed below a	ıs C are P, exce
		certain Industr	rial Uses as spe	cified in § 202.
* * * *				
* * * *				
(3) <i>[Note de</i>	leted.] <u>C in Historic E</u>	Buildings pursuan	t to Section 202	<u>2.11.</u>
* * * *				
SEC 757 F	OLSOM STREET N	FIGHBORHOO	D COMMERC	CIAL TRANSI
DISTRICT.	0100m 011121 H			
* * * *				
	1			
Zoning Category	§ References		Controls	3
Zoning Category	§ References		Controls	S
* * * *	§ References ANDARDS AND U	SES	Controls	S

1	Residential Uses		C	ontrols by Stor	у
2			1st	2nd	3rd +
3	Residential Uses				
4	(except for Group	\$ 400	D	D	
5	Housing, see	§ 102	P	P	P
6	below)				
7	Group Housing	§§ 102, 208	C(1) <u>(7)</u>	С	С
8	* * * *				
9	NON-RESIDENTIA	AL STANDARDS AN	ID USES		
0	* * * *				
1	* * * * * Controls by Story				
2			1st	2nd	3rd +
3	<u>Uses in Historic Buildings</u>				
4	Historic Buildings	<u>§ 202.11</u>	In Historic Build	ings, Uses listed	below as NP
5				11 1	ъ.
			are C and Uses l	isted below as C	are P, except
6				isted below as Co l Uses as specifie	
6 7	* * * *				
	* * * *				
7	* * * *	st floor on lots with m	certain Industria	<u>l Uses as specifie</u>	d in § 202.11.
7 8	* * * *	st floor on lots with m	certain Industria	<u>l Uses as specifie</u>	d in § 202.11.
7 8 9	* * * * (1) NP on 1 * * * *	st floor on lots with m	certain Industria	l Uses as specifie	<i>d in § 202.11.</i> ge.
7 8 9	* * * * (1) NP on 1 * * * *		certain Industria	l Uses as specifie	<i>d in § 202.11.</i> ge.

SEC. 758. REGIONAL COMMERCIAL DISTRICT.

2 * * * *

Zoning Category	§ References		Control	s
* * * *				
RESIDENTIAL ST	ANDARDS AND U	SES		
* * * *				
Residential Uses			Controls by	Story
		1st	2nd	3rd +
Residential Uses				
except for Group	\$ 402			
Housing, see	§ 102	P	Р	P
pelow)				
* * *				
Group Housing	§§ 102, 208	C(1) <u>(7)</u>	С	С
* * * *				
NON-RESIDENTIA	L STANDARDS A	ND USES		
* * * *				
* * * *		Controls by Story		Story
		1st	2nd	3rd -
Uses in Historic Bui	ldings			
Historic Buildings	<u>§ 202.11</u>	In Historic B	uildings, Uses li	sted below o
		are C and Us	ses listed below o	as C are P,
		certain Indus	strial Uses as spe	ecified in \S 2

1	* * * *
2	(1) NP on 1st floor on lots with more than 25 feet of street frontage.
3	* * * *
4	(7) [Note deleted.] P in Historic Buildings pursuant to Section 202.11.
5	* * * *
6	
7	SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE
8	DISTRICTS.
9	* * * *
10	(b) Use Limitations. Uses in Eastern Neighborhood Mixed Use Districts are either
11	Principally Permitted, Conditional, Accessory, temporary, or are not permitted. The Uses and
12	Use Characteristics that are Principally Permitted, Conditionally Permitted, or not permitted
13	are detailed in the Zoning Control Tables for each zoning district.
14	(1) Permitted Uses. If there are two or more uses in a structure, any use not
15	classified below under Section 803.3(b)(1)(C) of this Code as Accessory will be considered
16	separately as an independent permitted, Conditional, temporary, or not permitted use.
17	* * * *
18	(D) Temporary Uses. Temporary uses not otherwise permitted are
19	permitted in Eastern Neighborhoods Mixed Use Districts to the extent authorized by Sections
20	202.11 and 205 through 205.58 of this Code.
21	* * * *
22	
23	SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.
24	(a) Housing Requirement in the Mixed Use-Residential (MUR) District. In new
25	construction in the MUR District, three square feet of Gross Floor Area for Residential Use is

1	required for every one gross square foot of permitted Non-Residential Use.
2	(b) Preservation of Historic Buildings within Certain Mixed Use Districts. The following
3	controls are intended to support the economic viability of buildings of historic importance within
4	certain Mixed Use Districts.
5	(1) CMUO, MUG, MUR, MUO, and SPD Districts. This subsection (b)(1) applies only to
6	buildings in CMUO, MUG, MUO, MUR, or SPD Districts that are designated landmark buildings or
7	contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code
8	or buildings listed on or determined eligible for the California Register of Historical Resources by the
9	State Office of Historic Preservation.
10	(A) All uses are principally permitted, provided that:
11	(i) The project does not contain any Nighttime Entertainment use.
12	(ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the
13	advice of the Historic Preservation Commission, determines that allowing the use will enhance the
14	feasibility of preserving the building.
15	(iii) Residential uses meet the affordability requirements of the Residential
16	Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.
17	(B) The Historic Preservation Commission shall review the proposed project for
18	compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any
19	applicable provisions of the Planning Code.
20	(2) RED and RED-MX Districts. This subsection (b)(2) applies only to buildings in RED
21	and RED-MX Districts that are a designated landmark building per Article 10 of the Planning Code,
22	buildings designated as Category I-IV pursuant to Article 11 of this Code and located within the
23	Extended Preservation District, or a building listed in or determined individually eligible for the
24	National Register of Historic Places or the California Register of Historical Resources by the State
25	Office of Historic Preservation.

1	——————————————————————————————————————
2	School, Social Service or Philanthropic Facility, and Trade School uses are principally permitted, and
3	Retail Sales and Services uses and Office Uses as defined in Section 102, are permitted only with
4	Conditional Use authorization, pursuant to Planning Code Section 303, provided that:
5	(i) The project does not contain any Adult Business or Nighttime Entertainment use.
6	(ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the
7	advice of the Historic Preservation Com- mission, determines that allowing the use will enhance the
8	feasibility of preserving the building.
9	(B) The Historic Preservation Commission shall review the proposed project for
10	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	— (3) WMUG District. This subsection (b)(3) applies only to buildings in the WMUG District
13	that are a designated landmark building per Article 10 of the Planning Code, buildings designated as
14	Category I-IV pursuant to Article 11 of this Code and located within the Extended Preservation
15	District, or a building listed in or determined individually eligible for the National Register of Historic
16	Places or the California Register of Historical Resources by the State Office of Historic Preservation.
17	(A) Office uses, as defined in Planning Code Section 102, are principally permitted,
18	provided that:
19	(i) Prior to the issuance of any necessary permits, the Zoning Administrator, with the
20	advice of the Historic Preservation Commission, determines that allowing the use will enhance the
21	feasibility of preserving the building.
22	(B) The Historic Preservation Commission shall review the proposed project for
23	compliance with the Secretary of the Interior's Standards, (36 C.F.R § 67.7 (2001)) and any
24	applicable provisions of the Planning Code.

1	(4) RH-DTR Districts. This subsection (b)(4) applies only to buildings in RHDTR Districts
2	that are designated landmark buildings or contributory buildings within a designated historic district
3	pursuant to Article 10 of the Planning Code, or buildings listed on or determined eligible for the
4	California Register of Historical Resources by the State Office of Historic Preservation.
5	(A) All uses are principally permitted, provided that prior to the issuance of any
6	necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission.
7	determines that allowing the use will enhance the feasibility of preserving the building.
8	(B) The Historic Preservation Commission shall review the proposed project for
9	compliance with the Secretary of the Interior's Standards. (36 C.F.R. § 67.7 (2001)} and any applicable
10	provisions of the Planning Code.
11	(c) Preservation of Historic Buildings within and UMU Districts. The following rules are
12	intended to support the economic viability of buildings of historic importance within the UMU District.
13	(1) This subsection applies only to buildings that are a designated landmark building, or a
14	building listed on or determined eligible for the California Register of Historical Resources by the State
15	Office of Historic Preservation.
16	— (2) All uses are permitted as of right, provided that:
17	——————————————————————————————————————
18	(B) Prior to the issuance of any necessary permits, the Zoning Administrator, with the
19	advice of the Historic Preservation Commission, determines that allowing the use will enhance the
20	feasibility of preserving the building.
21	(C) Residential uses meet the affordability requirements of the Residential Inclusionary
22	Affordable Housing Program set forth in Section 415 et seq.
23	— (3) The Historic Preservation Commission shall review the proposed project for
24	compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any
25	applicable provisions of the Planning Code.

1	$(\underline{b}\underline{d})$ Legal and Government Office Uses in the Vicinity of the Hall of Justice.
2	Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of
3	Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the
4	Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and
5	other criminal justice activities and services directly related to the criminal justice functions of
6	the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special
7	Restriction placed on the property limiting office activities to uses permitted by this subsection

(\underline{ce}) Vertical Controls for Office Uses.

- (1) **Purpose.** In order to preserve ground floor space for production, distribution, and repair uses and to allow the preservation and enhancement of a diverse mix of land uses, including limited amounts of office space on upper stories, additional vertical zoning controls shall govern Office Uses as set forth in this subsection $\frac{803.9}{ec}$.
- (2) **Applicability.** This subsection \$03.9(fc) shall apply to all Office Uses in the MUG and UMU Districts and all office uses in buildings in the PDR-1-D and PDR-1-G Districts that are designated as landmarks pursuant to Article 10 of the Planning Code, where permitted.
 - (3) Controls.

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(b).

(B) **Designated Office Story or Stories.** Office Uses are not permitted on the ground floor, except as specified in Section 840 839 for MUG Districts and Section 843 838 for UMU Districts. Office Uses may be permitted on stories above the ground floor if they are designated as office stories. On any designated office story, Office Uses are permitted, subject to any applicable use size limitations. On any story not designated as an office story, Office Uses are not permitted. When an Office Use is permitted on the ground floor per

2	purposes of subsection $803.9(e)(4)(c)(3)$ (E) below.
3	* * * *
4	(E) Maximum Number of Designated Stories. The maximum number of
5	designated office stories shall correspond to the total number of stories in a given building, as
6	set forth in the table below. The designation of a particular story shall apply to the total floor
7	area of that story and no partial designation, split designation, or other such subdivision of
8	designated floors shall be permitted. For the purposes of the following table, the total number
9	of stories in a given building shall be counted from grade level at curb and shall exclude any
10	basements or below-grade stories.
11	
12	Table 803.9(<i>e<u>c</u></i>)
13	* * * *
14	(df) Retail Controls in the MUG, MUO, CMUO, and UMU Districts. In the MUG,

Sections <u>840 and 843</u> <u>838 and 839</u>, it shall not be considered a designated office story for the

MUO, CMUO, and UMU Districts, up to 25,000 gross square feet of Retail Sales and Services use is permitted per lot. Above 25,000 gross square feet, three gross square feet of other uses permitted in that District are required for every one gross square foot of retail. In the UMU District, Gym uses are exempt from this requirement. In the CMUO District, Hotel uses are exempt from this requirement.

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SEC. 825. DTR - DOWNTOWN RESIDENTIAL DISTRICTS.

22

(c) **Use.** A use is the specified purpose for which a property or building is used, occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted, conditional, accessory, temporary or are not permitted. If there are two or more uUses in a structure, any

* * * *

#<u>U</u>se not classified in Section 825(c)(1)(C) below as accessory will be considered separately
 as an independent permitted, conditional, temporary or not permitted #<u>U</u>se.

(1) Permitted Uses.

(A) **Principal Uses.** All #Uses are permitted as Principal Uses as of right in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not Permitted in this Section 825 of this Code or any other Section governing an individual DTR District-; provided that additional Uses may be Principally Permitted pursuant to Section 202.11.

Additional requirements and conditions may be placed on particular #Uses as provided

pursuant to Section 803.5 and other applicable provisions of this Code.

SEC. 830. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT.

13 * * * *

Zoning Category	§ References	Controls				
* * * *						
NON-RESIDENTIAL	NON-RESIDENTIAL STANDARDS AND USES					
* * * *						
Non-Residential Uses						
Uses in Historic Buildi	ings					
Historic Buildings	§ 202.11	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.				
Agricultural Use Category						
* * * *						

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(2) Not subject to ratio requirements of (1) above, pursuant to § 803.9(gd).

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1 SEC. 831. MUG – MIXED USE-GENERAL DISTRICT.

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MUG - MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Mixed Use-General District Controls
* * * *		
NON-	RESIDENTIAL STANDARI	OS AND USES
* * * *		
Non-Residential Uses		
Uses in Historic Buildings		
Historic Buildings	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.
Agricultural Use Category	1	
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category	,	
Automotive Uses*	§ 102	Р
Ambulance Service	§ 102	C(5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
Private Parking Garage	§ 102	C (1)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C (1)
Public Parking Lot	§ 102	NP
Service, Motor Vehicle Tow	§ 102	C (1)
Service, Parcel Delivery	§§ 102, 303(cc)	С
Vehicle Storage Garage	§ 102	C (1)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and F	Recreation Use Category	

1	Entertainment, Arts and Recreation Uses*	§ <u>§</u> 102, 181(f) , 803.9(b)	NP (1) (4)	
2	Arts Activities	§ 102	Р	
3	Entertainment, General	§ 102	NP(8)	
	Movie Theater	§ 102	P up to three screens.	
4	Open Recreation Area	§ 102	Р	
5	Industrial Use Category			
6	Industrial Uses*	§ 102	NP (1)	
7	Light Manufacturing	§ 102	Р	
7	Institutional Use Category			
8	Institutional Uses*	§§ 102, 202.2(e) , 803.9(b)	Р	
9	Hospital	§ 102	NP <i>(1)</i>	
10	Medical Cannabis Dispensary	§§ 102, 202.2(e)	P(4)	
11	Post-Secondary Educational Institution	§ 102	C (1)	
12	Sales and Service Category			
13	Retail Sales and Service Uses*	§ § 102	P(5)	
14	Adult Business	§ 102	NP (1)	
15	Adult Sex Venue	§§ 102, 249.78	P(5)(7)	
16	Bar	§ <u>§</u> 102, 202.2(a) , 803.9(b)	C (1) (5)	
	Cannabis Retail	§ <u>§</u> 102, 202.2(a) , 803.9(b)	C (1) (5)	
17	Hotel	§ 102	C (1)	
18	Kennel	§ 102	NP (1)	
19	Liquor Store	§ <u>§</u> 102, 202.2(a)	C (1) (5)	
20	Massage Establishment	§ 102	P on 1st floor, C on 2nd floor, and NP on 3rd floor and	
21	Mortuon	\$ 102	above (6)	
22	Mortuary Self Storage	§ 102	NP (1)	
	Non-Retail Sales and	§ 102 § 102	NP (1)	
23	Service*	3 102	Г 	
24	Life Science	§ 102	NP <i>(1)</i>	
25	Utility and Infrastructure l			
	-			

Utility and Infrastructure uses*	§ 102	NP (1)
Public Transportation Facility	§ 102	Р
Wireless Telecommunications Services Facility	§ 102	C(3)

(1) [Note Deleted] P in historic buildings as set forth in § 803.9(b).

SEC. 832. MUO - MIXED USE-OFFICE DISTRICT.

Zoning Category	§ References		Mixed Use-Office District Controls		
* * * *	* * * *				
NON-RESIDENTIAL	STANDARDS A	AND USES			
* * * *					
Non-Residential Uses					
Uses in Historic Buildin	<u>igs</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>		Buildings, all Uses are P, except certain ses as specified in § 202.11.		
Agricultural Use Cat	egory				
Agricultural Uses	§§ 102, 202.2(c)				
Automotive Use Cate	egory				
Automotive Uses*	§ 102	Р			
Ambulance Service	§ 102	C (1)			
Automobile Sale or Rental	§ 102	P if in an er	nclosed building; otherwise NP.		
Motor Vehicle Tow Service	§ 102	C (1)			
Private Parking Garage	§ 102	C (1)			

1	Private Parking Lot	§ 102	NP		
2	Public Parking Garage	§ 102	C (1)		
3	Public Parking Lot	§ 102	NP		
4	Service, Parcel Delivery	§§ 102, 303(cc)	С		
5	Vehicle Storage Garage	§ 102	C (1)		
6	Vehicle Storage Lot	§ 102	NP		
7	Entertainment, Arts a	nd Recreation	Use Category		
8 9	Entertainment, Arts and Recreation Uses*	§ 102 , 803.9(b)	Р		
10	Entertainment, Nighttime	§ 102	С		
11	Livery Stables	§ 102	NP (1)		
12	Movie Theater	§ 102	P up to three screens		
13	Sports Stadium	§ 102	NP (1)		
14	Industrial Use Category				
	Industrial Uses	§ 102	NP (1)		
15	Light Manufacturing	§ 102	Р		
16	Institutional Use Cate	egory			
17	Institutional Uses	§ § 202.2(e) , 803.9(b)	Р		
18	Sales and Service Ca	itegory			
19	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(4) (6)		
20	Adult Business	§ 102	NP (1)		
21	Adult Sex Venue	§ 102	C (1)		
22	Hotel	§ 102	C(5) (1)		
23	Massage Establishment	§ 102	NP (1)		
24	Mortuary	§ 102	NP (1)		
25	Self Storage	§ 102	NP (I)		

Non-Retail Sales and Service	§ 102	Р
Utility and Infrastruct	ture Use Cateo	jory
Utility and Infrastructure uses*	§ 102	NP (1)
Public Transportation Facility	§ 102	Р
Wireless Telecommunications Services Facility	§ 102	C (1) (2)

(1) [Note Deleted] P in historic buildings as set forth in § 803.9(b).

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SEC. 833. MUR - MIXED USE-RESIDENTIAL DISTRICT.

Zoning Category	§ References	Mixed Use-Residential District Controls	
* * * *			
NON-RESIDENTIAL S	STANDARDS AND	USES	
* * * *			
Non-Residential Uses			
Uses in Historic Buildin	<u>igs</u>		
Historic Buildings	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.	
Agricultural Use Category			
Agricultural Uses*	§§ 102, 202.2(c)	Р	
Automotive Use Cate	egory		
Automotive Uses*	§ 102	Р	
Ambulance Service	§ 102	C (1)	

1	Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.		
2	Motor Vehicle Tow	§ 102	C (1)		
3	Service	3	- (-)		
4	Private Parking Garage	§ 102	C (1)		
5	Private Parking Lot	§ 102	NP (1)		
6	Public Parking Garage	§ 102	C (1)		
	Public Parking Lot	§ 102	NP		
7 8	Service, Parcel Delivery	§§ 102, 303(cc)	С		
9	Vehicle Storage Garage	§ 102	C (1)		
10	Vehicle Storage Lot	§ 102	NP		
11	Entertainment, Arts and Recreation Use Category				
12	Entertainment, Arts and Recreation	§§ 102, 181(f), 249.78 ,	NP (1) (3)		
13	Uses*	803.9(b)			
14	Arts Activities	§ 102	Р		
15	Entertainment, General	§ 102	NP(7) (8)		
16 17	Entertainment, Nighttime	§§ 102, 181(f)	NP(8)		
	Movie Theater	§ 102	P up to three screens.		
18	Open Recreation Area	§ 102	Р		
19	Industrial Use Category				
20	Industrial Uses	§ 102	NP (1)		
21	Manufacturing, Light	§ 102	Р		
22	Institutional Use Category				
23	Institutional Uses*	§ § 202.2(e) , 803.9(b)	Р		
24	Hospital	§ 102	NP (1)		
25	Medical Cannabis Dispensary	§ 202.2(e)	P(3)		

Post-Secondary Educational Institution	§ 102	C (1)
Sales and Service Cate	egory	-
Retail Sales and Service Uses*	§ § 102	Р
Adult Business	§ 102	NP (1)
Adult Sex Venue	§§ 102, 249.78	C(6)
Cannabis Retail	§ 202.2(a) , 803.9(b)	P(3)
Hotel	§ 102	NP (1)
Massage Establishment	§ 102	P on 1st floor, C on 2nd floor, and NP on 3rd floor and above (5)
Mortuary	§ 102	NP (1)
Self Storage	§ 102	NP (1)
Non-Retail Sales and Service*	§ 102	Р
Life Science	§ 102	NP (1)
Storage, Wholesale	§ 102	NP (1)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP (1)
Public Transportation Facility	§ 102	Р
Wireless Telecommunications Services Facility	§ 102	C (1) (2)

21 (1) [Note Deleted] P in historic buildings per § 803.9(b).

(5) P on all floors if accessory to a Hotel, Personal Service, or Health Service, *or if located within a historic building per § 803.9(b)*.

23 * * * *

SEC. 834. RED - RESIDENTIAL ENCLAVE DISTRICT.

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Zoning Category	§ References	Residential Enclave District Controls		
* * * *				
NON-RESIDENTIAL ST	NON-RESIDENTIAL STANDARDS AND USES			
* * * *				
Non-Residential Uses				
Uses in Historic Buildings	<u> </u>			
Historic Buildings	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.		
Agricultural Use Categ	ory			
Agricultural Uses*	§§ 102, 202.2(c)	NP		
Agriculture, Neighborhood	§§ 102, 202.2(c)	Р		
Automotive Use Category				
Automotive Uses	§ 102	NP		
Entertainment, Arts and Recreation Use Category				
Entertainment, Arts and Recreation Uses*	§ 102 , <i>803.9(b)</i>	NP		
Arts Activities, except Theater	§ § 102 , <i>803.9(b)</i>	C (1)		
Open Recreation Area	§ 102	Р		
Industrial Use Category				
Industrial Uses	§ 102	NP		
Institutional Use Category				
Institutional Uses*	§§ 102, 202.2(e)	NP		
Child Care Facility	§ 102	Р		
Community Facility	§ 102 , 803.9(b)	NP (1)		
Community Facility, Private	§ 102 , <i>803.9(b)</i>	NP (1)		

Public Facility	§ § 102 , 803.9(b)	C (1)
Residential Care Facility	§ 102	Р
School	§ § 102 , <i>803.9(b)</i>	NP (I)
Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2) , 803.9(b)	NP (1)
Sales and Service Cate	egory	
Retail Sales and Service Uses*	§§ 102, 202.2(a) , 803.9(b)	NP (2)
Service, Personal	§ 102	NP(3)
Trade Shop	§ 102	NP(3)
Non-Retail Sales and Service*	§ 102	NP (1)
Catering	§ 102	NP(3)
Design Professional	§ 102	NP(3)
Office Uses	§ 102 ,	NP (2)
Trade Office	§ 102	NP(3)
Storage, Wholesale	§ 102	NP(3)
Wholesale Sales	§ 102	NP(3)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Wireless Telecommunications Services Facility	§ 102	NP(4)

^{*} Not listed below

BOARD OF SUPERVISORS

^{(1) [}Note Deleted] P in historic buildings as set forth in § 803.9(b)

^{(2) [}Note Deleted] C in historic buildings as set forth in § 803.9(b)

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

* * * *

Zoning Category	§ References	Residential Enclave-Mixed District Control
* * * *		
RESIDENTIAL STANDA	ARDS AND USES	S
* * * *		
Residential Conversion	§ 317	NP (5)
* * * *		
NON-RESIDENTIAL ST	ANDARDS AND	USES
* * * *		
Non-Residential Uses		
Uses in Historic Buildings		
<u>Historic Buildings</u>	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.
Agricultural Use Categ	ory	
Agricultural Uses	§§ 102, 202.2(c)	Р
Automotive Use Categ	ory	
Automotive Uses*	§ 102	NP
Automotive Repair	§ 102	P(3)
Private Parking Garage	§ 102	С
Vehicle Storage Lot	§ 102	С
Vehicle Storage Garage	§ 102	С
Entertainment, Arts an	d Recreation Us	e Category
Entertainment, Arts and Recreation Uses*	§ 102 , <i>803.9(b)</i>	NP
Arts Activities	§ 102	P(3)

Open Recreation Area	§ 102	Р
Industrial Use Category		
Industrial Uses*	§ 102	NP
Light Manufacturing	§ 102	P(3)
Institutional Use Catego	ory	
Institutional Uses*	§§ 102, 202.2(e) , <i>803.9(b)</i>	Р
Hospital	§ 102	NP
Medical Cannabis Dispensary	§ 102	NP
Post-Secondary Educational Institution	§ 102	С
School	§ 102	С
Sales and Service Cate	gory	-
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(3)
Adult Business	§ 102	NP
Bar	§ 102	NP
Hotel	§ 102	NP
Massage Establishment	§ 102	NP
Mortuary	§ 102	NP
Self Storage	§ 102	NP
Service, Financial	§ 102	NP
Service, Fringe Financial	§ 102	NP
Non-Retail Sales and Service*	§ 102	P(3)
Laboratory	§ 102	NP
	§ 102	NP
Life Science	3	

Utility and Infrastructure uses*	§ 102	NP
Public Transportation Facility	§ 102	С
Wireless Telecommunications Services Facility	§ 102	C(1)

(5) [Note Deleted] C in Article 10 Landmark Buildings

SEC. 836. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

Zoning Category	§ References	Service/Arts/Light Industrial District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Non-Residential Uses		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	Р
Automotive Use Category		
Automotive Uses*	§ 102	Р
Ambulance Service	§ 102	C(6)
Automobile Sale or Rental	§ 102	P(5)
Private Parking Garage	§ 102	С
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	С

1	Public Parking Lot	§ 102	NP
2	Service, Parcel Delivery	§§ 102, 303(cc)	С
3	Vehicle Storage Garage	§ 102	С
4	Vehicle Storage Lot	§ 102	NP
5	Entertainment, Arts ar	nd Recreation U	se Category
6 7	Entertainment, Arts and Recreation Uses*	§ 102 , <i>803.9(b)</i>	Р
8	Movie Theater	§ 102	P up to three screens.
9	Outdoor Entertainment	§ 102	NP
10	Sports Stadium	§ 102	NP
11	Industrial Use Category		
	Industrial Uses	§ 102	NP
12	Light Manufacturing	§ 102	P
13	Institutional Use Category		
14 15	Institutional Uses	§§ 102, 202.2(e) , <i>803.9(b)</i>	Р
		оиэ.У(<i>о)</i>	
	Hospital	§ 102	NP
16 17	Hospital Medical Cannabis Dispensary	()	NP P(8)
16 17 18	Medical Cannabis	§ 102 §§ 102,	
16 17	Medical Cannabis Dispensary Post-Secondary	§ 102 §§ 102, 202.2(e)	P(8)
16 17 18	Medical Cannabis Dispensary Post-Secondary Educational Institution	§ 102 §§ 102, 202.2(e) § 102	P(8) NP
16 17 18 19	Medical Cannabis Dispensary Post-Secondary Educational Institution Residential Care	§ 102 §§ 102, 202.2(e) § 102 § 102 § 102	P(8) NP NP
16 17 18 19 20	Medical Cannabis Dispensary Post-Secondary Educational Institution Residential Care School	§ 102 §§ 102, 202.2(e) § 102 § 102 § 102	P(8) NP NP
16 17 18 19 20 21	Medical Cannabis Dispensary Post-Secondary Educational Institution Residential Care School Sales and Service Cate Retail Sales and	§ 102 §§ 102, 202.2(e) § 102 § 102 § 102 egory §§ 102,	P(8) NP NP NP
16 17 18 19 20 21 22	Medical Cannabis Dispensary Post-Secondary Educational Institution Residential Care School Sales and Service Cate Retail Sales and Service Uses*	§ 102 §§ 102, 202.2(e) § 102 § 102 § 102 egory §§ 102, 202.2(a)	P(8) NP NP NP P(5)(8)

1	Hotel	§ 102	NP	
	Kennel	§ 102	Р	
2	Massage Establishment	§ 102	С	
4	Mortuary	§ 102	Р	
	Self Storage	§ 102	NP	
5	Trade Shop	§ 102	Р	
6 7	Non-Retail Sales and Service*	§ 102	Р	
•	Life Science	§ 102	NP	
8	Office Uses	§ 102	NP(9)	
9	Utility and Infrastructu	re Use Categor	У	
10	Utility and Infrastructure uses*	§ 102	Р	
11 12	Wireless Telecommunications Services Facility	§ 102	C(1)	

(9) Office Uses related to the Hall of Justice are P in Special Use District, pursuant to § $803.9(e\underline{c})$.

SEC. 837. SPD - SOUTH PARK DISTRICT.

* * * *

Zoning Category	Zoning Category § References South Park District Controls					
* * * *						
NON-RESIDENTIAL	STANDARDS AND	USES				
* * * *	* * * *					
Non-Residential Uses						
Uses in Historic Buildin	<u>igs</u>					
Historic Buildings § 202.11 In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.						
Agricultural Use Category						

		SS 102	
1	Agricultural Uses*	§§ 102, 202.2(c)	P
2	Agriculture, Industrial	§§ 102, 202.2(c)	NP
	Automotive Use Categ	ory	
4	Automotive Uses	§ 102	NP
5	Entertainment, Arts an	d Recreation Us	e Category
6 7	Entertainment, Arts and Recreation Uses*	§ 102 , 803.9(b)	NP (1)
8	Arts Activities, except Theater	§ 102	Р
9	Entertainment, General	§ 102	С
	Open Recreation Area	§ 102	Р
11	Industrial Use Categor	у	
12	Industrial Uses*	§ 102	NP
13	Light Manufacturing	§ 102	Р
14	Institutional Use Categ	ory	
15 16	Institutional Uses*	§§ 102, 202.2(e) , <i>803.9(b)</i>	NP (1)
	Child Care Facility	§ 102	Р
17	Community Facility	§ 102	C (1)
18	Community Facility, Private	§ 102 , <i>803.9(b)</i>	C (1)
19 20	Medical Cannabis Dispensary	§§ 102, 202.2(e)	Р
21	Public Facility	§ § 102 , <u>803.9(b)</u>	Р
22 23	Residential Care Facility	§ 102	Р
24	Religious Facility	§ § 102 , <i>803.9(b)</i>	C (1)

Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2) , 803.9(b)	Р
Sales and Service Cate	egory	
Retail Sales and Service Uses*	§ 102	P(5)(6)
Adult Sex Venue	§ 102	NP
Bar	§ <u>§</u> 102, 202.2(a) , 803.9(b)	C (1) (5)
Cannabis Retail	§ <u>§</u> 102, 202.2(a) , 803.9(b)	C (1) (5)
Kennel	§ 102	NP (1)
Liquor Store	§ 102, 202.2(a)	C (1) (5)
Mortuary	§ 102	NP (1)
Self Storage	§ 102	NP (1)
Service, Fringe Financial	§ 102	NP(2)
Non-Retail Sales and Service*	§ 102	Р
Laboratory	§ 102	NP (1)
Storage, Wholesale	§ 102	NP (1)
Utility and Infrastructu	re Use Categor	T Y
Utility and Infrastructure uses*	§ 102	NP
Wireless Telecommunications Services Facility	§ 102	C(3)

(1) [Note Deleted] P in historic buildings per § 803.9(b).

SEC. 838. UMU – URBAN MIXED USE DISTRICT.

2 * * * *

Zoning Category	§ References	Urban Mixed Use District Controls
* * * *		
NON-RESIDENTIAL ST	ANDARDS AND	USES
* * * *		
Non-Residential Uses		
Uses in Historic Building	<u>s</u>	
<u>Historic Buildings</u>	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.
Agricultural Use Cateo	jory	
Agricultural Uses	§§ 102, 202.2(c)	Р
Automotive Use Categ	jory	
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C (5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise NP(2)
Automotive Wash	§ 102	C (5)
Motor Vehicle Tow Service	§ 102	C (5)
Private Parking Garage	§ 102	C (5)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C (5)
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	С
Vehicle Storage Garage	§ 102	C (5)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		

1	Entertainment, Arts and Recreation Uses*	§ 102 , 803.9(b)	Р
2	Movie Theater	§ 102	P, up to three screens
3	Livery Stable	§ 102	NP (5)
4	Outdoor Entertainment	§ 102	NP
	Sports Stadium	§ 102	NP (5)
5	Industrial Use Category		
6	Industrial Uses	§ 102	NP (5)
7	Light Manufacturing	§ 102	Р
8	Institutional Use Categ	ory	
9	Institutional Uses	§ § -202.2(e) , 803.9(b)	Р
10	Hospital	§ 102	NP (5)
11	Post-Secondary Educational Institution	§ 102	C (5)
12	Sales and Service Cate	gory	
13	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(2)
14	Adult Business	§ 102	C (5)
15	Adult Sex Venue	§ 102	С
16	Gym	§§ 102; 803.9(<u>gd</u>)	P(3)
17	Hotel	§ 102	NP (5)
18	Massage Establishment	§ 102	NP (5)
19	Mortuary	§ 102	NP <i>(5)</i>
20	Self Storage	§ 102	NP <i>(5)</i>
21	Trade Shop	§ 102	Р
22	Non-Retail Sales and Service*	§ 102	Р
23	Life Science	§ 102	NP (5)
24	Office Uses	§§ 102; 803.9(<i>ec</i>)	P(4)
25		. =-	

1	Professional Services, Non-Retail	§§ 102	P(4)
2	Utility and Infrastructure Use Category		
3	Utility and Infrastructure uses*	§ 102	NP (5)
4 5	Public Transportation Facility	§ 102	Р
6 7	Wireless Telecommunications Services Facility	§ 102	C (5)

(4) Unless located within a historic building per \$803.9(c), $u\underline{U}$ ses subject to vertical control of $\$803.9(e\underline{c})$.

(5) [Note Deleted] P in historic buildings per § 803.9(b).

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SEC. 839. WMUG - WSOMA MIXED USE-GENERAL DISTRICT.

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Zoning Category	§ References	Western SoMa Mixed Use-General District Controls			
* * * *					
NON-RESIDENTIAL ST	NON-RESIDENTIAL STANDARDS AND USES				
* * * *					
Non-Residential Uses					
Uses in Historic Buildings					
Historic Buildings § 202.11 In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.					
Agricultural Use Categ	ory				
Agricultural Uses*	§§ 102, 202.2(c)	Р			
Automotive Use Categoria	ory				
Automotive Uses* § 102 P(4)					

1	Ambulance Service	§ 102	C(4)(5) (1)
2	Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
3	Motor Vehicle Tow Service	§ 102	C (1) (4)
4 5	Private Parking Garage	§ 102	C (1)
	Private Parking Lot	§ 102	NP
6	Public Parking Garage	§ 102	C (1)
7	Public Parking Lot	§ 102	NP
8	Service, Parcel Delivery	§§ 102, 303(cc)	С
9 10	Vehicle Storage Garage	§ 102	C (1)
11	Vehicle Storage Lot	§ 102	С
	Entertainment, Arts an	d Recreation Us	e Category
12 13	Entertainment, Arts and Recreation Uses*	§ 102 , 803.9(b)	C (1)
14	Arts Activities	§ 102	Р
15	Entertainment, General	§ 102	C(8)
16	Movie Theater	§ 102	NP (1)
17 18	Nighttime Entertainment	§ 102	NP(8)
	Open Recreation Area	§ 102	Р
19	Industrial Use Category		
20	Industrial Uses	§ 102	NP (1)
21	Light Manufacturing	§ 102	Р
22	Institutional Use Categ	ory	
23	Institutional Uses	§§ 102, 202.2(e) , 803.9(b)	Р
24	Hospital	§ 102	NP (1)
25		3	(-)

	_	_	
Post-Secondary Educational Institution	§ 102	C (1)	
Sales and Service Cate	Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(5)	
Adult Business	§ 102	NP (1)	
Adult Sex Venue	<u>§ 102</u>	P(7)	
Hotel	§ 102	NP (1)	
Massage Establishment	§ 102	C (1)	
Mortuary	§ 102	NP (1)	
Self Storage	§ 102	NP (1)	
Trade Shop	§ 102	Р	
Non-Retail Sales and Service*	§ 102	Р	
Laboratory	§ 102	NP (1)	
Life Science	§ 102	NP (1)	
Office Uses	§ 102	NP (1)	
Wholesale Storage	§ 102	C (1)	
Utility and Infrastructu	re Use Category	1	
Utility and Infrastructure uses*	§ 102	NP (1)	
Public Transportation Facility	§ 102	Р	
Wireless Telecommunications Services Facility	§ 102	C (1) (2)	

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^{(1) [}Note Deleted] P in historic buildings per § 803.9(b).

SEC. 840. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

2 * * * *

Zoning Category	§ References	Western SoMa Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL ST	ANDARDS AND	USES
* * * *		
Non-Residential Uses		
Uses in Historic Building	<u>s</u>	
<u>Historic Buildings</u>	<u>§ 202.11</u>	In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.
Agricultural Use Categ	jory	
Agricultural Uses	§§ 102, 202.2(c)	Р
Automotive Use Categ	ory	•
Automotive Uses*	§ 102	P(8)
Ambulance Service	§ 102	C(7)
Automobile Sale or Rental	§ 102	P(6)(8)
Motor Vehicle Tow Service	§ 102	С
Private Parking Garage	§ 102	С
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	С
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	С
Vehicle Storage Garage	§ 102	С
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts an	nd Recreation Us	se Category

1 2	Entertainment, Arts and Recreation Uses*	§ 102 , <i>803.9(b)</i>	Р
3	Movie Theater	§ 102	P, up to three screens
4	Outdoor Entertainment	§ 102	NP
5	Sports Stadium	§ 102	NP
6	Industrial Use Categor	у	
	Industrial Uses	§ 102	NP
7	Light Manufacturing	§ 102	P
8	Institutional Use Categ	ory	
9	Institutional Uses	§§ 102, 202.2(e) ,	Р
10	11 21	803.9(b)	ND
11	Hospital	§ 102	NP
12	Post-Secondary Educational Institution	§ 102	С
13	Residential Care	§ 102	NP
14	School	§ 102	С
	Sales and Service Category		
15 16	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(6)(7)
17	Adult Business	§ 102	NP
	Adult Sex Venue	§ 102	P
18	Hotel	§ 102	P up to 75 rooms.
19	Massage Establishment	§ 102	NP
20	Mortuary	§ 102	NP (1)
21	Self Storage	§ 102	NP (1)
22	Trade Shop	§ 102	Р
23	Non-Retail Sales and Service*	§ 102	Р
24	Utility and Infrastructu	re Use Category	/

1	Utility and Infrastructure uses*	§ 102	NP
2	Internet Services Exchange	§ 102	С
4	Public Transportation Facility	§ 102	Р
5 6	Wireless Telecommunications Services Facility	§ 102	C(2)

* * * *

(1) [Note Deleted] P in historic buildings per § 803.9(b).

* * * *

Section 3. Article 7 of the Planning Code is hereby amended by revising the Zoning Control Tables for Sections 710-721, 723-746, 750-756, and 759-764, also listed below, to add two rows regarding Uses in Historic Buildings, as further shown in the Sample Zoning Control Table below:

Zoning Category § References		Controls		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
Historic Buildings	<u>§ 202.11</u>	In Historic Buildings, Uses listed below as NP		
		are C and Uses	listed below as C	are P, except
		<u>certain Industri</u>	al Uses as specifie	<u>ed in § 202.11.</u>
Agricultural Use Category				

* * * *
SEC. 710. NC-1 – Neighborhood Commercial Cluster District.
SEC. 711. NC-2 – Small-Scale Neighborhood Commercial District.
SEC. 712. NC-3 – Moderate-Scale Neighborhood Commercial District.
SEC. 713. NC-S – Neighborhood Commercial Shopping Center District.
SEC. 714. Broadway Neighborhood Commercial District.
SEC. 715. Castro Street Neighborhood Commercial District.
SEC. 716. Inner Clement Street Neighborhood Commercial District.
SEC. 717. Outer Clement Street Neighborhood Commercial District.
SEC. 718. Upper Fillmore Street Neighborhood Commercial District.
SEC. 719. Haight Street Neighborhood Commercial District.
SEC. 720. Excelsior Outer Mission Neighborhood Commercial District.
SEC. 721. Japantown Neighborhood Commercial District.
SEC. 723. Polk Street Neighborhood Commercial District.
SEC. 724. Sacramento Street Neighborhood Commercial District.
SEC. 725. Union Street Neighborhood Commercial District.
SEC. 726. Pacific Avenue Neighborhood Commercial District.
SEC. 727. Lakeside Village Neighborhood Commercial District.
SEC. 728. 24th Street – Noe Valley Neighborhood Commercial District.
SEC. 729. West Portal Avenue Neighborhood Commercial District.
SEC. 730. Inner Sunset Neighborhood Commercial District.
SEC. 731. Noriega Street Neighborhood Commercial District.
SEC. 732. Irving Street Neighborhood Commercial District.
SEC. 733. Taraval Street Neighborhood Commercial District.

- 1 SEC. 734. Judah Street Neighborhood Commercial District.
- 2 SEC. 735. Inner Balboa Street Neighborhood Commercial District.
- 3 SEC. 736. Outer Balboa Street Neighborhood Commercial District.
- 4 SEC. 737. Bayview Neighborhood Commercial District.
- 5 SEC. 738. Cortland Avenue Neighborhood Commercial District.
- 6 SEC. 739. Geary Boulevard Neighborhood Commercial District.
- 7 SEC. 740. Mission Bernal Neighborhood Commercial District.
- 8 SEC. 741. San Bruno Avenue Neighborhood Commercial District.
- 9 SEC. 742. Cole Valley Neighborhood Commercial District.
- 10 SEC. 743. Lower Haight Street Neighborhood Commercial District.
- 11 SEC. 744. Lower Polk Street Neighborhood Commercial District.
- 12 SEC. 745. Inner Taraval Street Neighborhood Commercial District.
- 13 SEC. 746. Leland Avenue Commercial District.
- 14 SEC. 750. NCT-1 Neighborhood Commercial Transit Cluster District.
- 15 SEC. 751. NCT-2 Small-Scale Neighborhood Commercial Transit District.
- 16 SEC. 752. NCT-3 Moderate-Scale Neighborhood Commercial Transit District.
- 17 SEC. 753. Soma Neighborhood Commercial Transit District.
- 18 SEC. 754. Mission Street Neighborhood Commercial Transit District.
- 19 SEC. 755. Ocean Avenue Neighborhood Commercial Transit District.
- 20 SEC. 756. Glen Park Neighborhood Commercial Transit District.
- 21 SEC. 759. Divisadero Street Neighborhood Commercial Transit District.
- 22 SEC. 760. Fillmore Street Neighborhood Commercial Transit District.
- 23 SEC. 761. Hayes-Gough Neighborhood Commercial Transit District.
- SEC. 762. Valencia Street Neighborhood Commercial Transit District.
- 25 SEC. 763. 24th Street Mission Neighborhood Commercial Transit District.

SEC. 764. Upper Market Street Neighborhood Commercial Transit District.

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Section 4. Article 2 of the Planning Code is hereby amended by revising Section 202.8, to read as follows:

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SEC. 202.8. LIMITATION ON CONVERSION OF PRODUCTION, DISTRIBUTION, AND REPAIR USE, INSTITUTIONAL COMMUNITY USE, AND ARTS ACTIVITIES USE.

8

(f) **Exemptions.** The following shall be exempt from the requirements of this Section 202.8:

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(9) Any project that proposes to convert no more than 50% of the property's PDR, Institutional Community, or Arts Activities space that is within a Historic Building., provided that such space is located within a landmark designated under Article 10 of the Planning Code or individually listed on the National Register of Historic Places as of July 1, 2016 and that no more than 49,999 square feet is converted to office use. Additionally, any such project that is also subject to a contract or agreement meeting the requirements of California Civil Code Section 1954.28(d), which, as part of the terms of such contract or agreement, rents, leases, or sells at 50% below market rate the property's remaining PDR, Institutional Community, or Arts Activities space, may convert an additional 25% of the property's PDR, Institutional Community, or Arts Activities space exempt from the requirements of this Section 202.8, for a total of 75% exempted conversion. The City department negotiating the contract or agreement shall determine the market rate using accepted best practices for this purpose. Such below market rate rental, lease, or sale shall be for a period of not less than 55 years and subject to a deed restriction. The exemptions set forth in this subsection 202.8(f)(9) may be approved through multiple project applications so long as no more than a total of 50% (or 75% if

1	restricting the commercial rent of the property as set forth herein) of the property's PDR, Institutional
2	Community, or Arts Activities space is converted under this exemption.
3	* * * *
4	
5	Section 5. Proposition X, Planning Code Section 202.8, and Two-Thirds Vote Approval
6	Requirement.
7	Section 4 of this ordinance amends Planning Code Section 202.8. In November 2016,
8	the voters of San Francisco approved Proposition X, which added Section 202.8 to the
9	Planning Code, regarding conversion of PDR, Institutional Community, and Arts Activities
10	uses in certain districts. Subsection 202.8(i) provides that the Board of Supervisors "by
11	ordinance and by at least a two-thirds vote of all its members" may amend Section 202.8.
12	
13	Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
14	intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15	numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16	Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17	additions, and Board amendment deletions in accordance with the "Note" that appears under
18	the official title of the ordinance. An exception to this general principle is Section 3 of this
19	ordinance, which in a different manner provides for amendment of the Planning Code.
20	
21	
22	
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24	

1	Section 7. Effective Date. This ordinance shall become effective 30 days after
2	enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3	ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4	of Supervisors overrides the Mayor's veto of the ordinance.
5	
6	
7 8	APPROVED AS TO FORM: DAVID CHIU, City Attorney
9 10	By: /s/ HEATHER GOODMAN HEATHER GOODMAN Deputy City Attorney
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LEGISLATIVE DIGEST

[Planning Code - Adaptive Reuse of Historic Buildings]

Ordinance amending the Planning Code to allow additional uses as principally or conditionally permitted in Historic Buildings citywide, exempt Historic Buildings in certain Eastern Neighborhood Plan Areas from Conditional Use authorization otherwise required to remove Production, Distribution, and Repair (PDR), Institutional Community, and Arts Activities uses, and from providing replacement space for such uses, make conforming amendments to provisions affected by the foregoing, including zoning control tables; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302

Existing Law

The Planning Code establishes which land uses are permitted, conditionally permitted, or not permitted in each zoning district in San Francisco. The zoning controls are different for each district, with the controls for individual uses typically shown in a comprehensive Zoning Control Table. In some residential, neighborhood commercial, and mixed use districts, additional uses are permitted or conditionally permitted if the subject property is a certain type of Historic Building.

In specified Eastern Neighborhoods Plans Areas, a project that removes space for Production, Distribution, and Repair (PDR), Institutional Community, or Arts Activities uses must obtain conditional use authorization and must replace that space pursuant to a ratio established in Planning Code Section 202.8, subject to specified exceptions. One exception is for projects that are in buildings landmarked as historic buildings or individually listed on the National Register of Historic Places, if the project sponsor agrees to rent or sell PDR, Institutional Community, or Arts Activity space at substantially reduced rent or sales prices.

Procedures regarding historic preservation are provided in Article 10 of the Planning Code. Section 310 of the Planning Code specifies that Article 10 has its own procedures, and that the procedures of Article 3 do not apply to Article 10.

Amendments to Current Law

This ordinance modifies which uses are permitted, conditionally permitted, or not permitted in each zoning district, where the subject property is a Historic Building. Generally, the ordinance makes uses more permissive in Historic Buildings, to encourage and improve the feasibility of projects for adaptive reuse of Historic Buildings, provided certain conditions are met. In specified Residential Districts (RH, RM, and RTO), when located in a Historic Building, any

BOARD OF SUPERVISORS Page 1

use that is not permitted in the District, but is permitted or conditionally permitted the ground floor in the NC-1 District, is conditionally permitted. In most Eastern Neighborhoods Mixed Use Districts (CMUO, MUG, MUO, MUR, SALI, SPD, UMU, WMUG, and WMUO), Downtown Residential Districts (DTR), Commercial Districts (C-2 and C-3), and the Residential Commercial District (RC), all uses are permitted in Historic Buildings. In RED and RED-MX Districts, Arts Activities, Community Facility, Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and Trade School Uses are permitted in Historic Buildings; Retail Sales and Services Uses and Office Uses are conditionally permitted, with limited exceptions. In Neighborhood Commercial Districts and all other districts, uses that are conditionally permitted are permitted in a Historic Building; uses that are not permitted are conditionally permitted in a Historic Building. Industrial Uses other than Agricultural and Beverage Processing 1 and Light Manufacturing are excluded from these more permissive zoning controls for Historic Buildings. Additionally, the Planning Director may authorize any Retail Sales and Service or Entertainment, Arts and Recreation Use as a temporary use within any vacant Non-Residential space in a Historic Building. The ordinance includes minor amendments to individual districts' Zoning Control Tables and various other sections to reflect the new, more flexible controls for Historic Buildings.

Regarding the Planning Code Section 202.8 requirements for conditional use authorization and replacement space, the exception for specified Historic Buildings is broadened to apply to all Historic Buildings, without qualification.

Procedures regarding historic preservation continue to be provided in Article 10 of the Planning Code. Section 310 of the Planning Code, which confirmed that Article 10 has its own procedures, and that the procedures of Article 3 do not apply to Article 10, is unnecessary and is deleted.

Background Information

The Planning Code defines a Historic Building as a building or structure that meets at least one of the following criteria: 1) is individually designated as a landmark under Article 10; 2) is listed as a contributor to an historic district listed in Article 10, or if the historic district does not list contributors, is determined to be a contributor through historic resource review; 3) is a Significant or Contributory Building under Article 11, with a Category I, II, III or IV rating; 4) has been listed or has been determined eligible for listing in the California Register of Historical Resources; or, 5) has been listed or has been determined eligible for listing in the National Register of Historic Places.

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