

1 [Planning Code - Story Count and Mezzanines]

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3 **Ordinance amending the Planning Code to revise the size threshold for when a**
 4 **mezzanine is considered a separate story from one-third to one-half of the floor area of**
 5 **the story or room in which the mezzanine is located; affirming the Planning**
 6 **Department's determination under the California Environmental Quality Act; making**
 7 **findings of consistency with the General Plan, and the eight priority policies of**
 8 **Planning Code, Section, 101.1; and making findings of public convenience, necessity,**
 9 **and welfare under Planning Code, Section 302.**

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

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

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17 Section 1. Land Use and Environmental Findings.

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

23 (b) On _____, the Planning Commission, in Resolution No. _____,
 24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
 25 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

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

3 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
4 amendments will serve the public necessity, convenience, and welfare for the reasons set
5 forth in Planning Commission Resolution No. _____ and the Board incorporates such
6 reasons herein by reference, as though fully set forth herein. A copy of Planning Commission
7 Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No.
8 _____.

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10 Section 2. Articles 1 and 2 of the Planning Code are hereby amended by revising
11 Sections 102 and 890.118, to read as follows:

12 **SEC. 102. DEFINITIONS.**

13 * * * *

14 **Story.** That portion of a building included between the upper surface of any floor and
15 the upper surface of the floor next above, except that the topmost story shall be that portion of
16 a building included between the upper surface of the topmost floor and the ceiling or roof
17 above.

18 Any mezzanine, or intermediate level, shall be considered part of a story constituted
19 by another floor provided it is an open and integral part of the story or room of which it is a
20 portion. There shall be only one such mezzanine per story and it shall have a minimum glazed
21 or unglazed opening of 50%~~percent~~ on the interior side of the room or story and an area not
22 exceeding 50%~~one-third~~ of the floor area of the story or room in which it is located. Any
23 mezzanine not meeting these criteria shall be considered a separate story.

24 * * * *

1 **SEC. 890.118. STORY.**

2 That portion of a building included between the upper surface of any floor and the
3 upper surface of the floor next above, except that the topmost story shall be that portion of a
4 building included between the upper surface of the topmost floor and the ceiling or roof above.

5 It shall include any mezzanine, or intermediate level, the area of which does not
6 exceed ~~50³³ 1/3%~~ of the total area of the floor, provided that the mezzanine is an open and
7 integral part of the story of which it is a portion and there is no more than one mezzanine level
8 per story.

9 Any mezzanine, or intermediate level, shall be considered part of a story constituted
10 by another floor provided it is an open and integral part of the story or room of which it is a
11 portion. There shall be only one such mezzanine per story and it shall have a minimum glazed
12 or unglazed opening of ~~50% percent~~ on the interior side of the room or story and an area not
13 exceeding ~~50% one-third~~ of the floor area of the story or room in which it is located. Any
14 mezzanine not meeting these criteria shall be considered a separate story.

15 * * * *

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

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24 Section 4. Effective Date. This ordinance shall become effective on the 31st day after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

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4 APPROVED AS TO FORM:
5 DAVID CHIU, City Attorney

6 By: /s/ Robb Kapla
7 ROBB KAPLA
8 Deputy City Attorney

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9 4902-6534-7764, v. 2

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