

File No. 160477

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date July 18, 2016

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
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Completed by: Victor Young Date July 15, 2016

Completed by: _____ Date _____

1 [Planning Code - Wireless Telecommunications Services Facilities]

2
3 **Ordinance amending the Planning Code to 1) define Wireless Telecommunications**
4 **Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among**
5 **other things, require a conditional use authorization (CU) for Macro WTS Facilities in**
6 **most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4)**
7 **require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities**
8 **in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications**
9 **equipment accessory uses from height limitations; 7) allow screening elements for**
10 **WTS Facilities to exceed height limits, consistent with existing height limit exemptions**
11 **for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic**
12 **Preservation Commission to delegate determinations on applications for**
13 **Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning**
14 **Department staff; and affirming the Planning Department's determination under the**
15 **California Environmental Quality Act, and making findings of consistency with the**
16 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

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

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

Section 1. Findings.

1 (a) The Planning Department has determined that the actions contemplated in this
2 ordinance comply with the California Environmental Quality Act (California Public Resources
3 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
4 Supervisors in File No. 160477 and is incorporated herein by reference. The Board of
5 Supervisors hereby affirms this determination.

6 (b) On June 16, 2016, the Planning Commission, in Resolution No. 19666, adopted
7 findings that the actions contemplated in this ordinance are consistent, on balance, with the
8 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
9 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
10 Board of Supervisors in File No. 160477, and is incorporated herein by reference.

11 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
12 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
13 in Planning Commission Resolution No. 19666 and the Board incorporates such reasons
14 herein by reference.

15
16 Section 2. Article 1 of the Planning Code is hereby amended by revising Section 102
17 to read as follows:

18 **SEC. 102. DEFINITIONS.**

19 * * * *

20 **Internet Service Exchange.** A Utility and Infrastructure Use defined as a location that
21 contains any of the following uses (excluding a Wireless Telecommunications Services
22 Facility): switching equipment (whether wireline or wireless) that joins or connects occupants,
23 customers, or subscribers to enable customers or subscribers to transmit data, voice or video
24 signals to each other; one or more computer systems and related equipment used to build,
25

1 maintain, or process data, voice or video signals, and provide other data processing services;
2 or a group of network servers.

3 * * * *

4 **Utility and Infrastructure.** A Use Category that includes Community Recycling Center,
5 Internet Service Exchange, Public Transportation Facility, Public Utilities Yard, Wireless
6 Telecommunications Service_s (WTS) Facility, and Utility Installation.

7 **Utility Installation.** A Utility and Infrastructure Use that includes, but is not necessarily
8 limited to, water, gas, electric, transportation, or communications utilities, or public service
9 facility, provided that operating requirements necessitate placement at this location. This use
10 does not include Wireless Telecommunications_s Services Facilities, or Public Transportation
11 Facilities, as defined in this Section of the Code.

12 * * * *

13 **Wireless Telecommunication_s Services (WTS) Facility_s.** A Utility and Infrastructure
14 Use defined as a facility that sends and/or receives wireless radio frequency (RF) signals,
15 AM/FM, microwave, or electromagnetic waves, ~~to provide transmission of for the purpose of~~
16 providing voice, data, images or other information; including but not limited to digital
17 (previously "cellular") mobile phone service, personal communication service and paging
18 services. WTS Facilities may be located either inside or outside of an enclosed building.

19 Such facilities include, but are not limited to, directional (panel), omni-directional (~~whip~~)
20 and parabolic antennas, related electronic equipment, power sources, screening elements,
21 supporting equipment, towers and structures. The term does not include ~~mobile transmitting~~
22 ~~devices used by wireless service subscribers, such as vehicle or hand held radios/telephones and their~~
23 ~~associated transmitting Antennas, nor does this definition include facilities deemed exempt under the~~
24 ~~by~~ Federal Communications Commission's Over The Air Receiving Device (~~FCC-OTARD~~)
25

1 rules. A WTS Facility is also referred to as a "Personal Wireless Services Facility," as defined
2 in the federal Communications Act.

3 A WTS Facility is subject to the Wireless Telecommunications Services Facility Siting
4 Guidelines ("Guidelines") adopted by the Planning Commission, including but not limited to any
5 design criteria included in those Guidelines.

6 Wireless Telecommunications Services (WTS) Facility, Macro. A Macro WTS Facility is
7 generally characterized by significant spatial effects and more than two antennas. A WTS Facility is
8 considered a Macro WTS Facility unless determined by the Zoning Administrator to be a Micro WTS
9 Facility.

10 Wireless Telecommunications Services (WTS) Facility, Micro. The Zoning Administrator
11 shall determine whether a proposed WTS Facility is a Micro WTS Facility. A Micro WTS Facility is
12 generally characterized by

13 (a) limited spatial effects;

14 (b) a small number of antennas (typically up to two);

15 (c) an absence of substantial cumulative effects on neighborhood character or aesthetics,
16 when considered in conjunction with other WTS Facilities at the same project site; and

17 (d) a location that is not "disfavored" as specified in the Guidelines.

18 Wireless Telecommunications Services Facility, Temporary. A Wireless Telecommunications
19 Services Facility located on a parcel of land and consisting of a vehicle-mounted facility, a building-
20 mounted antenna, or a similar facility, and associated equipment, that is used to provide temporary
21 coverage for a large-scale event or an emergency, or to provide temporary replacement coverage due
22 to the removal of a permitted, permanent WTS facility necessitated by the demolition or major
23 alteration of a nearby property.

24 * * * *

1 Section 3. Article 2 of the Planning Code is hereby amended by revising Sections
2 204.3, 205.2, 209.1, 209.2, 209.3, 209.4, 210.1, 210.2, 210.3, 210.4, 211.1, 211.2, 242,
3 249.1, 249.52, 249.64, and 260 to read as follows:

4 **SEC. 204.3. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN C, RC, M,
5 AND PDR DISTRICTS.**

6 * * * *

7 (c) C, M, and PDR Districts. An antenna or a microwave or satellite dish shall be permitted in
8 C, M, and PDR Districts, except PDR-1-B Districts, without regard to the height of such antenna or
9 microwave or satellite dish and without regard to the proximity of such antenna or microwave or
10 satellite dish to any R District, if the following requirements are met:

11 (1) the antenna or dish will be used for the reception of indoor wireless, microwave,
12 radio, satellite, or television broadcasts for the exclusive benefit of the residents or occupants in the
13 building on which the facility is placed; and

14 (2) the antenna or dish is an accessory use to a lawful principal or conditional use.

15 (3) the antenna or dish shall comply with any applicable design review criteria,
16 including but not limited to any applicable design review criteria contained in the Wireless
17 Telecommunications Services Facility Siting Guidelines.

18 This subsection (c) shall not apply to an antenna or a microwave or satellite dish that complies
19 with the Federal Communications Commission's Over the Air Receiving Device rules.

20
21 **SEC. 205.2. TEMPORARY USES: ONE- OR TWO-YEAR LIMIT.**

22 A temporary use may be authorized for a period not to exceed two years for any of
23 the following uses:

24 * * * *

1 (d) Temporary Wireless Telecommunications Services (WTS) Facilities for a period of up to
2 one year if the following requirements are met:

3 (1) the Zoning Administrator determines that the Temporary WTS Facility shall be sited
4 and constructed so as to:

5 (A) avoid proximity to residential dwellings to the maximum extent feasible;

6 (B) comply with the provisions of Article 29 of the Police Code;

7 (C) be no taller than needed;

8 (D) be screened to the maximum extent feasible; and

9 (E) be erected for no longer than reasonably required.

10 (2) Permits in excess of 90 days for Temporary WTS Facilities operated for commercial
11 purposes shall be subject to Section 311 and 312 of this Code, where applicable.

12 (3) The Planning Department may require, where appropriate, notices along street
13 frontages abutting the location of the Temporary WTS Facility indicating the nature of the facility and
14 the duration of the permit.

15
16 **SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

17 * * * *

18 **Table 209.1**

19 **ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	RH- 1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
Utility and Infrastructure Use Category						
* * * *						

1	Wireless					
2	Telecommunications	§ 102	<u>C or P</u>	<u>C or P</u>	<u>C or P (7)</u>	<u>C or P (7)</u>
3	Services Facility		<u>(7)</u>	<u>(7)</u>		

4 * * * *

5
6 (7) C if a Macro WTS Facility; P if a Micro WTS Facility.

7
8 **209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.**

9 * * * *

10 **Table 209.2**

11 **ZONING CONTROL TABLE FOR RM DISTRICTS**

12	Zoning Category	§	RM-1	RM-2	RM-3	RM-4
13		References				
14	* * * *					
15						
16	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
17			*		*	
18						
19	Wireless Telecommunications	§ 102	<u>C or P (9)</u>	<u>C or P (9)</u>	<u>C or P (9)</u>	<u>C or P (9)</u>
20	Services Facility					

21 * * * *

22 (9) C if a Macro WTS Facility; P if a Micro WTS Facility.

23
24
25 **SEC. 209.3. RC (RESIDENTIAL-COMMERCIAL) DISTRICTS.**

1 * * * *

2 Table 209.3

3 ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS

Zoning Category	§ References	RC-3	RC-4
* * * *			
[Redacted]			
* * * *	* * * *	* * * *	* * * *
Wireless Telecommunications Services Facility	§ 102	<u>C or P (9)</u>	<u>C or P (9)</u>

14 * * * *

15 (9) C if a Macro WTS Facility; P if a Micro WTS Facility.

18 SEC. 209.4. RTO (RESIDENTIAL TRANSIT ORIENTED) DISTRICTS.

19 * * * *

20 Table 209.4

21 ZONING CONTROL TABLE FOR RTO DISTRICTS

Zoning Category	§ References	RTO	RTO-M
* * * *	* * * *	* * * *	* * * *

* * * *	* * * *	* * * *	* * * *
Wireless Telecommunications Services Facility	§ 102	<u>C or P (8)</u>	<u>C or P (8)</u>

* * * *

(8) C if a Macro WTS Facility; P if a Micro WTS Facility.

SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.

* * * *

**Table 210.1
ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
* * * *		
* * * *		
Wireless Telecommunications Services Facility	§102	P(1), (4)

* * * *

(4) C if an unscreened Wireless Telecommunications Services Facility is within Waterfront Special Use District 2 or 3, pursuant to Section 240.2(e) and 240.3(i) of this Code.

1 **SEC. 210.2. C-3 DISTRICTS: DOWNTOWN COMMERCIAL.**

2 * * * *

3 **Table 210.2**

4 **ZONING CONTROL TABLE FOR C-3 DISTRICTS**

<u>Zoning Category</u>	§ References	<u>C-3-O</u>	<u>C-3-O(SD)</u>	<u>C-3-R</u>	<u>C-3-G</u>	<u>C-3-S</u>
* * * *		* * * *	* * * *	* * * *	* * *	* * *
Utility and Infrastructure Use Category						
* * * *	* * * *	* * *	* * * *	* * * *	* * *	* * *
Wireless Telecommunications Services Facility	§ 102	P (5)	P (5)	P (5)	P (5)	P (5)

16 * * * *

18 **SEC. 210.3. PDR DISTRICTS.**

19 * * * *

20 **Table 210.3**

21 **ZONING CONTROL TABLE FOR PDR DISTRICTS**

<u>Zoning Category</u>	§ References	PDR-1- B	PDR-1-D	PDR-1-G	PDR-2
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		*			
* * * *	* * * *	* * *	* * * *	* * * *	* * *
		*			*
Wireless Telecommunications Services Facility	§ 102	<u>C or P</u> <u>(18)</u>	P (15)	P (15)	P (15)

* * * *

(18) C if a Macro WTS Facility; P if a Micro WTS Facility.

SEC. 210.4. M DISTRICTS: INDUSTRIAL.

* * * *

**Table 210.4
ZONING CONTROL TABLE FOR M DISTRICTS**

Zoning Category	§ References		M-1	M-2
	* * * *	* * * *	* * * *	* * * *
<i>Utility and Infrastructure Use Category</i>				
* * * *	* * * *	* * * *	* * * *	
Wireless Telecommunications	§ 102		P (1)	P (1)

Services Facility			
-------------------	--	--	--

* * * *

SEC. 211.1. PRINCIPAL USES PERMITTED, P DISTRICTS.

* * * *

(h) A publicly-owned and operated Wireless Telecommunications Services Facility used primarily for public communication systems.

SEC. 211.2. CONDITIONAL USES, P DISTRICTS.

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

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

* * * *

SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

* * * *

1 (e) Controls. All provisions of the Planning Code applicable to an RH-1, RH-1(S), RH-
2 2, and RH-3 District shall apply to applicable portions of the Special Use District except as
3 otherwise provided in this Section.

4 (1) Height Limits. No portion of a dwelling in any portion of this district shall
5 exceed a height of 30 feet except as provided below.

6 * * * *

7 (E) Wireless Telecommunications Services Facilities on a dwelling may exceed
8 the 30-foot height limitation contained in this Subsection (e)(1).

9 * * * *

10
11 **SEC. 249.1. FOLSOM AND MAIN RESIDENTIAL/COMMERCIAL SPECIAL USE DISTRICT.**

12 * * * *

13 (b) **Controls.** The following zoning controls are applicable in the
14 Residential/Commercial Special Use District.

15 * * * *

16 (2) **Uses.**

17 * * * *

18 (B) The use provisions applicable to an RC-4 District shall be applicable
19 to the "Residential/Commercial" Subdistrict with the following modifications or additions:

20 * * * *

21
22 ~~(xii) Wireless Facilities shall be permitted as conditional uses;~~

23 (xii) Internet Service Exchanges shall be permitted as of right as
24 principal uses.

25 * * * *

SEC. 249.52. TREASURE ISLAND/YERBA BUENA ISLAND SPECIAL USE DISTRICT.

* * * *

(e) **Development Controls.** Development and uses of property within this Special Use District shall be regulated by the controls contained herein and in the Design for Development, provided, however, that if there is any inconsistency between this Special Use District and the Design for Development, this Special Use District shall control.

* * * *

(2) **Uses.** The uses listed in Figure 3 are permitted in this Special Use District as indicated by the following symbols in the respective column for each district: (i) P – permitted as a principal use in this zoning designation; (ii) IC – subject to approval as an Island Conditional Use pursuant to the procedures set forth in subsection (h) below; (iii) blank – not permitted in this zoning designation.

Figure 3: Treasure Island and Yerba Buena Island Permitted Uses

	TI-R	TI-MU	TI-OS	TI-PCI	P=Permitted Use; IC= Island Conditional Use Permit Required; * and/or † = See Comments
* * * *	* *	* *	* * * *	* * * *	* * * *
	* *	* *			
Civic, Public, Open Space, and Public Service Uses					

1	* * * *	* *	* *	* * * *	* * * *	* * * *
2		* *	* *			
3	81.	P	P	P	P	†See Building
4	<i>Telecommunications</i>					Design Chapter
5	<i>Antennae and</i>					T5 of the Design
6	<i>Equipment Wireless</i>					for Development
7	<i>Telecommunications</i>					document for
8	<i>Services Facility</i> †					placement
9						standards
10	* * * *					

11						
12		YBI-R	YBI- MU	YBI-OS	YBI-PCI	P=Permitted Use; IC= Island Conditional Use Permit Required; * and/or † = See Comments
13						
14						
15						
16						
17						
18	* * * *	* *	* *	* * * *	* * * *	* * * *
19		* *	* *			
20						

Civic, Public, Open Space, and Public Service Uses

21						
22	* * * *	* *	* *	* * * *	* * * *	* * * *
23		* *	* *			
24	77.	P	P	P	P	†See Building
25	<i>Telecommunications</i>					Design Chapter

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<i>Antennae and Equipment-Wireless Telecommunications Services Facility†</i>					T5 of the Design for Development document for placement standards
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 249.64. PARKMERCED SPECIAL USE DISTRICT.

* * * *

(b) **Development Controls.** Development in the Parkmerced Special Use District shall be regulated by the controls contained in the Parkmerced Design Standards and Guidelines, as adopted by the Planning Commission and periodically amended, except for those controls specifically enumerated in this Section. Where not explicitly superseded by definitions established in the Parkmerced Design Standards and Guidelines, the definitions in this Code shall apply. All procedures and requirements in Article 3 shall apply to development in this Special Use District to the extent that they are not in conflict with this Special Use District or the Development Agreement, approved by the Board of Supervisors in Ordinance No. 89-11. The Planning Commission may amend the Parkmerced Design Standards and Guidelines upon initiation by the Planning Department or upon application by an owner of property within Parkmerced (or his or her authorized agent) to the extent that such amendments are consistent with this Special Use District, the General Plan, and the approved Development Agreement.

* * * *

1 (2) **Uses.**

2 * * * *

3 (B) **Conditionally Permitted Uses.** The following uses may be
4 approved as a Conditional Use by the Planning Commission:

5 * * * *

6 (ii) any use in excess of the maximum occupied square footage
7 permitted as a principally permitted use by Section (b)(2)(A); *and*

8 (iii) in the PM-S district, any use permitted in PM-R if less than
9 25,000 square feet of school use has been constructed or entitled.; *and*

10 (iv) a Wireless Telecommunications Services Facility. This proposed use
11 is subject to the Conditional Use criteria set forth in Section 303, in addition to the criteria set forth
12 below.

13 Except as specified in Subsection (i) above, In approving any such Conditional Use, the
14 Planning Commission shall not use the criteria set forth in Section 303, but rather shall
15 approve the Conditional Use if it finds that: (i) the proposed use will serve the public
16 necessity, convenience and welfare; (ii) the proposed use makes a positive contribution to the
17 neighborhood; and (iii) the proposed use is of a size and intensity that is compatible with the
18 district in which it is located.

19 * * * *

20
21 **SEC. 260. HEIGHT LIMITS: MEASUREMENT.**

22 * * * *

23 (b) **Exemptions.** In addition to other height exceptions permitted by this Code, the
24 features listed in this Subsection shall be exempt from the height limits established by this
25 Code, in an amount up to but not exceeding that which is specified.

1 * * * *

2 (2) The following features shall be exempt, without regard to their horizontal
3 area, provided the limitations indicated for each are observed:

4 * * * *

5 ~~(l) Radio and television antennae where permitted as accessory uses and towers~~
6 ~~and antennae for transmission, reception, or relay of radio, television or other electronic signals,~~
7 ~~where permitted as principal or conditional uses, subject to the limitations in the definition for Wireless~~
8 ~~Facilities in Section 102 of this Code and the Zoning Control Table for the district in which the Lot is~~
9 ~~located and limitations imposed by the Planning Commission. Wireless Telecommunications Services~~
10 ~~Facilities and other antennas, dishes, and towers and related screening elements, subject to any other~~
11 ~~applicable Planning Code provisions, including but not limited to applicable design review criteria and~~
12 ~~Planning Code Section 295.~~

13 * * * *

14
15 Section 4. Article 3 of the Planning Code is hereby amended by revising Sections 303,
16 306.9, 311 and 312 to read as follows:

17
18 **SEC. 303. CONDITIONAL USES.**

19 * * * *

20 (s) Wireless Telecommunications Services (WTS) Facilities.

21 (1) Due to the potential modification of WTS Facilities over time and the resulting
22 impacts on a neighborhood's aesthetics and character, as well as other changes in neighborhood
23 character over time, a Conditional Use Authorization for a WTS Facility shall have a duration of ten
24 years from the date of approval. If any administrative appeal is taken from the Conditional Use
25

1 Authorization, the ten-year period shall run from the date the Authorization is upheld on administrative
2 appeal.

3 (2) The Authorization may be renewed, without limitation, for subsequent time periods
4 of ten years, subject to the following:

5 (A) The renewal application is filed with the Planning Department prior to
6 expiration, but no earlier than 24 months prior to expiration.

7 (B) For any Conditional Use Authorization for a WTS Facility, the Planning
8 Commission may, in granting the Conditional Use Authorization, determine that the Director shall
9 review and determine whether to grant any application for renewal of the Conditional Use
10 Authorization for an additional ten-year period.

11 (C) This provision shall not apply to Conditional Use Authorizations granted
12 prior to the effective date of this Subsection(s). However, applications for Conditional Use
13 Authorizations to modify existing WTS Facilities that are granted on or after the effective date of this
14 Subsection (s) are subject to this Subsection (s).

15
16 **SEC. 306.9. NOTICE OF APPLICATIONS FOR BUILDING PERMITS FOR SUTRO**
17 **TOWER.**

18 * * * *

19 (c) **Notification.** Upon determination that an application is in compliance with the
20 requirements of the Planning Code, the Planning Department shall cause a written notice of
21 the proposed project to be sent in the manner described below. This notice shall be in addition
22 to any notices required by the Building Code and in addition to other requirements for notice
23 provided elsewhere in this Code.

1 The notice shall have a format and content determined by the Zoning Administrator. At
2 a minimum, it shall describe the proposed project and the project review process, and shall
3 set forth the mailing date of the notice.

4 Written notice shall be sent to all ~~properties~~ property owners and to each residential unit within
5 a 1,000 foot radius of the property line of the Sutro Tower site. The latest city-wide Assessor's
6 roll for names and addresses of owners shall be used for said notice. Notice shall also be sent
7 to any neighborhood organization on record with the Department as requesting notice of
8 building permits for Sutro Tower.

9
10 **SEC. 311. RESIDENTIAL PERMIT REVIEW PROCEDURES FOR RH, RM, AND RTO**
11 **DISTRICTS.**

12 * * * *

13 (f) Micro Wireless Telecommunications Services Facilities as Accessory Use,
14 **Notification and Review Required.** Building permit applications for new construction of a
15 Micro Wireless Telecommunications Services Facility, other than a Temporary Wireless
16 Telecommunications Services Facility, as an accessory use under Article 2 of the Planning Code in
17 RH and RM Districts shall be subject to the notification and review procedures required by this
18 Section. Pursuant to Section 205.2, applications for building permits in excess of 90 days for
19 Temporary Wireless Telecommunications Facilities to be operated for commercial purposes in RH,
20 RM, and RTO Districts shall also be subject to the notification and review procedures required by this
21 Section.

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

1 (a) **Purpose.** The purpose of this Section is to establish procedures for reviewing
2 building permit applications for lots in NC, ~~RED~~, and Eastern Neighborhoods Mixed Use
3 Districts in order to determine compatibility of the proposal with the neighborhood and for
4 providing notice to property owners, occupants and residents neighboring the site of the
5 proposed project and to interested neighborhood organizations, so that concerns about a
6 project may be identified and resolved during the review of the permit.

7 (b) **Applicability.** Except as indicated herein, all building permit applications for
8 demolition, new construction, changes in use to a formula retail use as defined in Section
9 303.1 of this Code or alterations which expand the exterior dimensions of a building shall be
10 subject to the notification and review procedures required by Subsection 312(d). Subsection
11 312(f) regarding demolition permits and approval of replacement structures shall apply to all
12 NC, ~~RED~~, and Eastern Neighborhoods Mixed Use Districts. For the purposes of this Section,
13 addition to a building of the features listed in Section 136(c)(1) through 136(c)(24) and
14 136(c)(26) shall not be subject to notification under this Section.

15 (c) **Changes of Use.** In NC Districts, all building permit applications for a change of
16 use to a Bar as defined in Sections 102 and 790.22, a Liquor Store as defined in Sections 102
17 and 790.55, Other Large Institutions as defined in Section 790.50, Other Small Institutions as
18 defined in Section 790.51, a Limited Restaurant as defined in Sections 102 and 790.90, a
19 Restaurant, as defined in Sections 102 and 790.91, a Massage Establishment as defined in
20 Sections 102 and 790.60, an Outdoor Activity Area, as defined in Section 790.70, an Adult or
21 Other Entertainment use as defined in Sections 790.36 and 790.38, a Fringe Financial
22 Service use as defined in Sections 102 and 790.111, Tobacco Paraphernalia Establishments
23 as defined in Sections 102 and 790.123, or Group Housing as defined in Sections 102 and
24 790.88(b) shall be subject to the provisions of Subsection 312(d); provided, however, that a
25 change of use from a Restaurant to a Limited-Restaurant shall not be subject to the provisions

1 of Subsection 312(d). In all ~~RED~~ and Eastern Neighborhoods Mixed Use Districts all building
2 permit applications for a change of use from any one land use category to another land use
3 category shall be subject to the provisions of Subsection 312(d). In addition, any accessory
4 massage use in the Ocean Avenue Neighborhood Commercial Transit District shall be subject
5 to the provisions of Subsection 312(d).

6 For the purposes of this Subsection, "land use category" shall mean those categories
7 used to organize the individual land uses which appear in the use tables in Article 8,
8 immediately preceding a group of individual land uses, and include the following: Residential
9 Use, Institutional Use, Retail Sales and Service Use, assembly, Recreation and Entertainment
10 Use, Office Use, motor vehicle services use, Industrial home and business service Use, or
11 other use.

12 * * * *

13 (g) Micro Wireless Telecommunications Services Facilities as Accessory Use,
14 **Notification and Review Required.** Building permit applications for new construction of a
15 Micro Wireless Telecommunications Services Facility as an accessory use under Article 7 or
16 8 of the Planning Code in all NC, ~~RED~~, or Eastern Neighborhoods Mixed Use Districts shall be
17 subject to the notification and review procedures required by this Section. Pursuant to Section
18 205.2, applications for building permits in excess of 90 days for Temporary Wireless
19 Telecommunications Facilities to be operated for commercial purposes in NC and Eastern
20 Neighborhood Mixed Use Districts shall also be subject to the notification and review procedures
21 required by this Section.

22
23 Section 5. Article 4 of the Planning Code is hereby amended by revising Section 411.3
24 to read as follows:

25 **SEC. 411.3. APPLICATION OF TIDF.**

1 (a) Application. Except as provided in Subsections (1) and (2) below, the TIDF shall
2 be payable with respect to any new development in the City for which a building or site permit
3 is issued on or after September 4, 2004. In reviewing whether a development project is
4 subject to the TIDF, the project shall be considered in its entirety. A sponsor shall not seek
5 multiple applications for building permits to evade paying the TIDF for a single development
6 project.

7 * * * *

8 (2) No TIDF shall be payable on the following types of new development.

9 * * * *

10 (F) The following types of new developments, except to the extent that
11 any such new development is also captured under a more specific use under this Code that is
12 not otherwise exempt:

13 * * * *

14 (vi) Mortuary, Public Facility, Utility Installation, Public Transport
15 Facility, Wireless Telecommunications Services Facility, Temporary Uses, Waterborne
16 Commerce, and Internet Service Exchange Uses as defined in Section 102 of this Code, as
17 well as Any use that is permitted as a principal use in any other C, M, or PDR District without
18 limitation as to enclosure within a building, wall or fence.

19 * * * *

20
21 Section 6. Article 7 of the Planning Code is hereby amended by revising Sections
22 703.2, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726,
23 727, 728, 729, 730, 731, 732, 733, 733A, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743,
24 744, 745, 746, 747, and 790.80 to read as follows:
25

1 **SEC. 703.2. USE PERMITTED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.**

2 * * * *

3 (a) **Use Categories.** The uses, functions, or activities, which are permitted in each
 4 Neighborhood Commercial District class include those listed below by zoning control category
 5 and number and cross-referenced to the Code Section containing the definition.

No.	<i>Zoning Control Categories for Uses</i>	Section Number of Use Definition
* * * *	* * * *	* * * *
<u>33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>

14 * * * *

15 (b) **Use Limitations.** The uses permitted in Neighborhood Commercial Districts are
 16 either principal, conditional, accessory, or temporary uses as stated in this Section, and
 17 include those uses set forth or summarized and cross-referenced in the zoning control
 18 categories as listed in this Code for each district class.

19 (1) **Permitted Uses.** All permitted uses shall be conducted within an enclosed
 20 building in Neighborhood Commercial Districts, unless otherwise specifically allowed in this
 21 Code. Exceptions from this requirement are: uses which, when located outside of a building,
 22 qualify as an Outdoor Activity Area, as defined in Sections 102 and 790.70 of this Code;
 23 accessory off-street parking and loading and other uses listed below which function primarily
 24 as open-air uses, or which may be appropriate if located on an open lot, outside a building, or
 25

1 within a partially enclosed building, subject to other limitations of this Article 7 and other
 2 sections of this Code.

No.	Zoning Control Category
<u>.33A</u>	<u>Wireless Telecommunications Services Facility</u>
.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

13 * * * *

15 **SEC. 710. NC-1 - NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1.**

16 * * * *

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

19 * * * *

			<i>NC-1</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>710.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			NC-2		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+

* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

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*			*	*	*

<u>711.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
			<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility;</u>	<u>Facility;</u>	<u>Facility;</u>
			<u>P if a</u>	<u>P if a</u>	<u>P if a</u>
			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>

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SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3 ZONING CONTROL TABLE

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No.	Zoning Category	§ References	Controls by Story		
			1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>712.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

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**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
ZONING CONTROL TABLE**

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			NC-S		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>713.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.

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1 **Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

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			Broadway		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

10 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

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*			*	*	*
<u>714.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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2 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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

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			<i>Castro Street</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<i>715.33A</i>	<i>Wireless Telecommunications Services Facility</i>	<i>§§ 102</i>	<i>C if a Macro WTS Facility; P if a Micro WTS Facility.</i>	<i>C if a Macro WTS Facility; P if a Micro WTS Facility.</i>	<i>C if a Macro WTS Facility; P if a Micro WTS Facility.</i>

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SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			<i>Inner Clement Street</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
<i>716.33A</i>	<i>Wireless Telecommunications Services Facility</i>	<i>§ 102</i>	<i>C if a Macro WTS Facility; P if a Micro</i>	<i>C if a Macro WTS Facility; P if a Micro</i>	<i>C if a Macro WTS Facility; P if a Micro</i>

			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

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			<i>Outer Clement Street</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

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*			*	*	*
	<u>Wireless</u>		<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
<u>717.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
	<u>Services Facility</u>		<u>WTS</u>	<u>WTS</u>	<u>WTS</u>

			<u>Facility:</u>	<u>Facility:</u>	<u>Facility:</u>
			<u>P if a</u>	<u>P if a</u>	<u>P if a</u>
			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			Upper Fillmore Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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718.33A	<u>Wireless Telecommunications Services Facility</u>	§ 102	<u>C i f a</u>	<u>C i f a</u>	<u>C i f a</u>
			<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility;</u>	<u>Facility;</u>	<u>Facility;</u>
			<u>P i f a</u>	<u>P i f a</u>	<u>P i f a</u>
			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
			* * *	* * * *	* * * *
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SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

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			Haight Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

1	* * *			* * *	* * *	* * *
2	*	* * * *	* * * *	*	*	*
3				<i>C if a</i>	<i>C if a</i>	<i>C if a</i>
4				<i>Macro</i>	<i>Macro</i>	<i>Macro</i>
5				<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
6		<i>Wireless</i>		<i>Facility;</i>	<i>Facility;</i>	<i>Facility;</i>
7	<i>719.33A</i>	<i>Telecommunications</i>	<i>§ 102</i>	<i>P if a</i>	<i>P if a</i>	<i>P if a</i>
8		<i>Services Facility</i>		<i>Micro</i>	<i>Micro</i>	<i>Micro</i>
9				<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
10				<i>Facility.</i>	<i>Facility.</i>	<i>Facility.</i>
11						
12	* * *	* * * *	* * * *	* * *	* * *	* * *
13	*			*	*	*

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SEC. 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

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			<i>Hayes-Gough Transit</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *

1	* *			*	*	*
2	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
3	* * *			* * *	* * *	* * *
4		* * * *	* * * *			
5	*			*	*	*
6				<i>C if a</i>	<i>C if a</i>	<i>C if a</i>
7				<i>Macro</i>	<i>Macro</i>	<i>Macro</i>
8		<i>Wireless</i>		<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
9	<i>720.33A</i>	<i>Telecommunications</i>	<i>§ 102</i>	<i>Facility:</i>	<i>Facility:</i>	<i>Facility:</i>
10		<i>Services Facility</i>		<i>P if a</i>	<i>P if a</i>	<i>P if a</i>
11				<i>Micro</i>	<i>Micro</i>	<i>Micro</i>
12				<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
13				<i>Facility.</i>	<i>Facility.</i>	<i>Facility.</i>
14	* * *			* * *	* * *	* * *
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SEC. 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

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			Upper Market Street
			Controls by Story

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No.	Zoning Category	§ References	1st	2nd	3rd+
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
721.33A	<u>Wireless Telecommunications Services Facility</u>	§ 102	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

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			North Beach		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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*			*	*	*
<u>722.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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1 **Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

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			Polk Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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10 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

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*			*	*	*
<u>723.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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2 **SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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4 **Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

5 **ZONING CONTROL TABLE**

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			<i>Sacramento Street</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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<u>724.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u>

			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			Union Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

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<u>725.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u>

			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

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			Valencia Street Transit		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
	<u>Wireless</u>		<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
<u>726.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
	<u>Services Facility</u>		<u>WTS</u>	<u>WTS</u>	<u>WTS</u>

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			<u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>Facility; P</u> <u>if a Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 727. 24TH STREET - MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 727. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

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			24th Street – Mission Transit		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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			<u>C i f a</u>	<u>C i f a</u>	<u>C i f a</u>
			<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
	<u>Wireless</u>		<u>Facility:</u>	<u>Facility:</u>	<u>Facility:</u>
<u>727.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>P i f a</u>	<u>P i f a</u>	<u>P i f a</u>
	<u>Services Facility</u>		<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			24th Street – Noe Valley		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					

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<u>728.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>
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SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			West Portal Avenue		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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1	* *			*	*	*
2	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
3	* * *			* * *	* * *	* * *
4	*	* * * *	* * * *	*	*	*
5						
6				<i>C if a</i>	<i>C if a</i>	<i>C if a</i>
7				<i>Macro</i>	<i>Macro</i>	<i>Macro</i>
8				<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
9		<i>Wireless</i>		<i>Facility;</i>	<i>Facility;</i>	<i>Facility;</i>
10	<i>729.33A</i>	<i>Telecommunications</i>	<i>§ 102</i>	<i>P if a</i>	<i>P if a</i>	<i>P if a</i>
11		<i>Services Facility</i>		<i>Micro</i>	<i>Micro</i>	<i>Micro</i>
12				<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
13				<i>Facility.</i>	<i>Facility.</i>	<i>Facility.</i>
14	* * *			* * *	* * *	* * *
15	*	* * * *	* * * *	*	*	*
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SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

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			<i>Inner Sunset</i>
			<i>Controls by Story</i>

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No.	Zoning Category	§ References	1st	2nd	3rd+
* *			* * *	* * *	* * *
* *	* * * *	* * * *	*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *			* * *	* * *	* * *
*	* * * *	* * * *	*	*	*
<u>730.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>
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SEC. 731. NCT-3 - MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 731. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-3 ZONING CONTROL TABLE

			<i>NCT-3</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
<u>731.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility; P if a Micro WTS Facility.</u>
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SEC. 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

			Pacific Avenue		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>732.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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1 **SEC. 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 2 **DISTRICT.**

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4 **Table 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 5 **DISTRICT ZONING CONTROL TABLE**

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			<i>Upper Market Street Transit</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>733.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>

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SEC. 733A. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.

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**Table 733A. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT
NCT-1 ZONING CONTROL TABLE**

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			NCT-1		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
<u>733A</u>	<u>Wireless</u>		<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
			<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
<u>33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>Facility;</u>	<u>Facility;</u>	<u>Facility;</u>
	<u>Services Facility</u>		<u>P if a</u>	<u>P if a</u>	<u>P if a</u>
			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>

			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
*	*		*	*	*
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SEC. 734. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 734. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2 ZONING CONTROL TABLE

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			NCT-2		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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*	*	* * * *	*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
*	*		*	*	*
*	*	* * * *	*	*	*
	<u>Wireless</u>		<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
<u>734.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
	<u>Services Facility</u>		<u>WTS</u>	<u>WTS</u>	<u>WTS</u>

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			<u>Facility:</u>	<u>Facility:</u>	<u>Facility:</u>
			<u>P if a</u>	<u>P if a</u>	<u>P if a</u>
			<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

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			SoMa Transit		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *	* * * *	* * * *	*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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			<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
			<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
	<u>Wireless</u>		<u>Facility;</u>	<u>Facility;</u>	<u>Facility;</u>
<u>735.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>P if a</u>	<u>P if a</u>	<u>P if a</u>
	<u>Services Facility</u>		<u>Micro</u>	<u>Micro</u>	<u>Micro</u>
			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 736. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 736. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

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			Mission Street Transit		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>736.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 737. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 737. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

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			Ocean Avenue Transit
			Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd+
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
737.33A	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	§ 102	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 738. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 738. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

* * * *

			Glen Park Transit		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>738.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility:</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*

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SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

* * * *

			Noriega Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>739.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*

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1 SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

2 * * * *

3 Table 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
4 ZONING CONTROL TABLE

5 * * * *

			Irving Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>740.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*

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3 SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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5 Table 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
6 ZONING CONTROL TABLE

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			<i>Taraval Street</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>741.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>

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SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

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			<i>Judah Street</i>		
			<i>Controls by Story</i>		
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<i>742.33A</i>	<i>Wireless Telecommunications Services Facility</i>	<i>§ 102</i>	<i>C if a Macro WTS Facility; P if a Micro</i>	<i>C if a Macro WTS Facility; P if a Micro</i>	<i>C if a Macro WTS Facility; P if a Micro</i>

			<u>WTS</u>	<u>WTS</u>	<u>WTS</u>
			<u>Facility.</u>	<u>Facility.</u>	<u>Facility.</u>
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SEC. 743. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 743

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

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			<i>Folsom Street</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
	<u>Wireless</u>		<u>C if a</u>	<u>C if a</u>	<u>C if a</u>
<u>743.33A</u>	<u>Telecommunications</u>	<u>§ 102</u>	<u>Macro</u>	<u>Macro</u>	<u>Macro</u>
	<u>Services Facility</u>		<u>WTS</u>	<u>WTS</u>	<u>WTS</u>

			<i>Facility:</i>	<i>Facility:</i>	<i>Facility:</i>
			<i>P if a</i>	<i>P if a</i>	<i>P if a</i>
			<i>Micro</i>	<i>Micro</i>	<i>Micro</i>
			<i>WTS</i>	<i>WTS</i>	<i>WTS</i>
			<i>Facility.</i>	<i>Facility.</i>	<i>Facility.</i>
*	*	*	*	*	*
*	*	*	*	*	*
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SEC. 744. REGIONAL COMMERCIAL DISTRICT.

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**Table 744
REGIONAL COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

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			Regional Commercial		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
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<u>744.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
* * *	* * * *	* * * *	* * *	* * *	* * *
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SEC. 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 745.

EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

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			<i>Excelsior Outer Mission Street</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					

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*			*	*	*
<u>745.33A</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
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SEC. 746. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 746. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

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			Divisadero Street		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
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* *			*	*	*
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*
<u>746.33A</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>	<u>C if a</u> <u>Macro</u> <u>WTS</u> <u>Facility;</u> <u>P if a</u> <u>Micro</u> <u>WTS</u> <u>Facility.</u>
* * *	* * * *	* * * *	* * *	* * *	* * *
*			*	*	*

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SEC. 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

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			Fillmore Street
			Controls by Story

No.	Zoning Category	§ References	1st	2nd	3rd+
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
747.33A	<u>Wireless Telecommunications Services Facility</u>	§ 102	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>	<u>C if a Macro WTS Facility: P if a Micro WTS Facility.</u>
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 790. DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS.

* * * *

SEC. 790.80. PUBLIC USE.

A publicly or privately owned use which provides public services to the community, whether conducted within a building or on an open lot, and which has operating requirements which necessitate location within the district, including civic structures (such as museums,

1 post offices, administrative offices of government agencies), public libraries, police stations,
2 transportation facilities, utility installations, *including and* Internet Services Exchanges, ~~and~~
3 ~~wireless transmission facilities.~~ Such use shall not include service yards, machine shops,
4 garages, incinerators and publicly operated parking in a garage or lot. "Publicly operated
5 parking" is defined in Sections 790.8 and 790.10 of this Code. Public uses shall also include a
6 community recycling collection center, as defined in Subsection (a) below.

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8
9 Section 7. Article 8 of the Planning Code is hereby amended by revising Sections
10 801.2, 803.2, 810.1, 811.1, 812.1, 813, 814, 815, 816, 817, 818, 827, 829, 840, 841, 842,
11 843, 844, 845, 846, 847, and 890.80, to read as follows:

12 **SEC. 801.2. REFERENCES TO ARTICLES 1 AND 2 (TEMPORARY).**

13 Articles 1 and 2 of this Code are in the process of a significant reorganization. As a
14 result, some references to Articles 1 and 2 have not yet been modified. The following
15 references in this Section of the Code are amended as follows:

16 * * * *

17
18 227(h) shall refer to Section 102, *Commercial* Wireless Telecommunications *Services*
19 Facility

20 * * * *

21
22 **SEC. 803.2. USE PERMITTED IN CHINATOWN MIXED USE DISTRICTS.**

23 * * * *

24 **TABLE 803.2 USE CATEGORIES PERMITTED IN THE**
25 **CHINATOWN MIXED USE DISTRICTS**

No.	Zoning Control Categories for Uses	Section Number of Use Definition
* * * *	* * * *	* * * *
<u>803.2.99</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>
* * * *	* * * *	* * * *

(b) **Use Limitations.** Uses in Chinatown Mixed Use Districts are either permitted, conditional, accessory, temporary, or are not permitted.

(1) **Permitted Uses.** All permitted uses in Chinatown Mixed Use Districts shall be conducted within an enclosed building, unless otherwise specifically allowed in this Code. Exceptions from this requirement are: accessory off-street parking and loading; uses which, when located outside of a building, qualify as an outdoor activity area, as defined in Section 890.71 of this Code; ~~as~~ Neighborhood Agriculture, as defined in Section 102.35 of this Code; Wireless Telecommunications Services Facility, as defined in Section 102 of this Code; and uses which by their nature are to be conducted in an open lot or outside a building, as described in Sections 890 through 890.140 of this Code. If there are two or more uses in a structure and none is classified under Section 803.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered separately as an independent permitted, conditional, temporary or not permitted use.

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SEC. 810.~~1~~ CHINATOWN COMMUNITY BUSINESS DISTRICT.

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2 Table 810

3 CHINATOWN COMMUNITY BUSINESS DISTRICT

4 ZONING CONTROL TABLE

			<i>Chinatown Community Business District</i>		
			<i>Controls by Story</i>		
No.	Zoning Category	§ References	1st	2nd	3rd+
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
<u>OTHER USES</u>					
	<i>Wireless</i>				
<u>§ 810.99</u>	<i>Telecommunications</i>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<i>Services Facility</i>				

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17
18 **SEC. 811.1 CHINATOWN VISITOR RETAIL DISTRICT.**

19 * * * *

20 Table 811

21 CHINATOWN VISITOR RETAIL DISTRICT

22 ZONING CONTROL TABLE

			<i>Chinatown Visitor Retail District</i>		
--	--	--	--	--	--

No.	Zoning Category	§ References	Controls by Story		
			1st	2nd	3rd+
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*
<u>OTHER USES</u>					
.99	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	§ 102	<u>P</u>	<u>P</u>	<u>P</u>

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SEC. 812.1 CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 812
CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

* * * *

			Chinatown Residential Neighborhood Commercial District		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd+
* * *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

OTHER USES

.99	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	§ 102	<u>P</u>	<u>P</u>	<u>P</u>
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SEC. 813. RED - RESIDENTIAL ENCLAVE DISTRICT.

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Table 813

RED – RESIDENTIAL ENCLAVE DISTRICT

ZONING CONTROL TABLE

			<i>Residential Enclave</i>
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
813.70	<i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§ 227(h)	NP
* *	* * * *	* * * *	* * * *

* *			
<u>813.99</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>NP; P if the facility is a Micro</u> <u>WTS Facility.</u>

SEC. 814. SPD – SOUTH PARK DISTRICT.

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Table 814

SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE

* * * *

			South Park District
No.	Zoning Category	§ References	Controls
* *	* * * *	* * * *	* * * *
* *			
Other Uses			
* *	* * * *	* * * *	* * * *
* *			
<u>814.73</u>	<u>Commercial Wireless</u> <u>Transmitting, Receiving or</u> <u>Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
* *	* * * *	* * * *	* * * *
* *			
<u>814.99</u>	<u>Wireless</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u>

	<u>Telecommunications</u>		<u>WTS Facility.</u>
	<u>Services Facility</u>		

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SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.

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Table 815

RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT

ZONING CONTROL TABLE

			<i>Residential/Service Mixed Use District</i>
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
815.73	<i>Commercial Wireless Transmitting, Receiving or Relay Facility</i>	§ 227(h)	€
* * * *	* * * *	* * * *	* * * *
815.99	<i>Wireless</i>	§ 102	<i>C; P if the facility is a Micro</i>

	<u>Telecommunications</u>		<u>WTS Facility.</u>
	<u>Services Facility</u>		

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SEC. 816. SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT.

* * * *

Table 816

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

			Service/Light Industrial/Residential Mixed Use District
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
816.73	<i>Commercial Wireless Transmitting, Receiving or Relay Facility</i>	§ 227(h)	€
* * * *	* * * *	* * * *	* * * *

1	<u>816.99</u>	<u>Wireless</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u>
2		<u>Telecommunications</u>		<u>WTS Facility.</u>
3		<u>Services Facility</u>		

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5
6 **SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.**

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8 **Table 817**
9 **SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT**
10 **ZONING CONTROL TABLE**

			<i>Service/Light Industrial District</i>
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
<u>817.73</u>	<u>Commercial Wireless</u> <u>Transmitting, Receiving or</u> <u>Relay Facility</u>	<u>§ 227(h)</u>	<u>€</u>
* * * *	* * * *	* * * *	* * * *

1	<u>817.99</u>	<u>Wireless</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u>
2		<u>Telecommunications</u>		<u>WTS Facility.</u>
3		<u>Services Facility</u>		

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5
6 **SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.**

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8 **Table 818**

9 **SSO – SERVICE/SECONDARY OFFICE DISTRICT**

10 **ZONING CONTROL TABLE**

			Service/Secondary Office District
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
18 19 20 21 22	<u>818.73</u> <u>Commercial Wireless</u> <u>Transmitting, Receiving</u> <u>or Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
* * * *	* * * *	* * * *	* * * *
23 24 25	<u>818.99</u> <u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro WTS</u> <u>Facility.</u>

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

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5 **Table 827**

6 **RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT**

7 **ZONING CONTROL TABLE**

			<i>Rincon Hill Downtown Residential Mixed Use District</i>
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
<u>Other Uses</u>			
<u>.99</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>	<u>C; P if the facility is a Micro WTS Facility.</u>

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

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24 **Table 829**

25 **SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT**

ZONING CONTROL TABLE

			South Beach Downtown Residential Mixed Use District
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
<u>Other Uses</u>			
<u>.99</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>	<u>C; P if the facility is a Micro WTS Facility.</u>

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SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.

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Table 840

MUG – MIXED USE-GENERAL DISTRICT

ZONING CONTROL TABLE

			Mixed Use – General District
No.	Zoning Category	§ References	Controls
* * * *			
Other Uses			

1	* *	* * * *	* * * *	* * * *
2	* *			
3	840.92	Public Use, except Public Transportation Facility; <i>and</i> Internet Service Exchange; <i>and</i> <i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§§ 209.6(c), 227(h), 890.80	P
4	840.93	<i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§ 227(h)	€
5	* *	* * * *	* * * *	* * * *
6	* *			
7	840.99	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	§ 102	<u>C; P if the facility is a Micro</u> <u>WTS Facility.</u>

SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.

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Table 841

MUR – MIXED USE-RESIDENTIAL DISTRICT
ZONING CONTROL TABLE

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			Mixed Use – Residential District
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
841.92	Public Use, except Public Transportation Facility, <i>and</i> Internet Service Exchange, <i>and</i> <i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§§ 890.80, 209.6(c), 227(h)	P
841.93	<i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§ 227(h)	€
* * * *	* * * *	* * * *	* * * *
841.99	<i>Wireless</i> <i>Telecommunications</i>	§ 102	<i>C; P if the facility is a Micro</i> <i>WTS Facility.</i>

	<i>Services Facility</i>		
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SEC. 842. MUO - MIXED USE-OFFICE DISTRICT.

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Table 842
 MUO – MIXED USE-OFFICE DISTRICT
 ZONING CONTROL TABLE

No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
842.9 2	Public Use, except Public Transportation Facility, <i>and</i> Internet Service Exchange, <i>and</i> Commercial Wireless Transmitting, Receiving or Relay Facility	§§ 890.80, 209.6(c), 227(h)	P
842.93	Commercial Wireless Transmitting, Receiving or	§ 227(h)	G

	<i>Relay Facility</i>		
* *	* * * *	* * * *	* * * *
* *			
<u>842.99</u>	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro WTS Facility.</u>

SEC. 843. UMU - URBAN MIXED USE DISTRICT.

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Table 843

UMU – URBAN MIXED USE DISTRICT

ZONING CONTROL TABLE

No.	Zoning Category	§ References	Controls
* *	* * * *	* * * *	* * * *
* *			
Other Uses			
* *	* * * *	* * * *	* * * *
* *			
843.9 2	Public Use, except Public Transportation Facility; <u>and</u> Internet Service Exchange; <u>and</u>	§§ 890.80, 209.6(c); 227(h)	P

	<i>Commercial Wireless Transmitting, Receiving or Relay Facility</i>		
843.93	<i>Commercial Wireless Transmitting, Receiving or Relay Facility</i>	<i>§ 227(h)</i>	<i>€</i>
* * * *	* * * *	* * * *	* * * *
843.99	<i>Wireless Telecommunications Services Facility</i>	<i>§ 102</i>	<i>C; P if the facility is a Micro WTS Facility.</i>

SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

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Table 844

WMUG – WSOMA MIXED USE-GENERAL DISTRICT

ZONING CONTROL TABLE

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

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* *			
844.9 2	Public Use, except Public Transportation Facility, <i>and</i> Internet Service Exchange, <i>and</i> <i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§§ 209.6(c), 227(h) , 890.80	P
844.93	<i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§ 227(h)	C
* *	* * * *	* * * *	* * * *
* *			
<u>844.99</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u> <u>WTS Facility.</u>

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

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

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			WSoMa
			Mixed Use-Office District
No.	Zoning Category	§ References	Controls
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
845.9 2	Public Use, except Public Transportation Facility, <i>and</i> Internet Service Exchange, <i>and</i> <i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§§ 209.6(c), 227(h) , 890.80	P
845.93	<i>Commercial Wireless</i> <i>Transmitting, Receiving or</i> <i>Relay Facility</i>	§ 227(h)	E
* * * *	* * * *	* * * *	* * * *
<u>845.99</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u> <u>WTS Facility.</u>

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

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Table 846

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

			<i>SALI District</i>
<i>No.</i>	<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
846.9 2	Public Use, except Public Transportation Facility, <i>and</i> Internet Service Exchange, <i>and</i> Commercial Wireless Transmitting, Receiving or Relay Facility	§§ 209.6(c), 227(h) , 890.80	P
846.93	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	E

* *	* * * *	* * * *	* * * *
* *			
<u>846.99</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u> <u>WTS Facility.</u>

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

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Table 847
RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT
ZONING CONTROL TABLE

No.	Zoning Category	§ References	Residential Enclave-Mixed Controls
* *	* * * *	* * * *	* * * *
* *			
Other Uses			
* *	* * * *	* * * *	* * * *
* *			
<u>847.99</u>	<u>Wireless</u> <u>Telecommunications</u> <u>Services Facility</u>	<u>§ 102</u>	<u>C; P if the facility is a Micro</u> <u>WTS Facility.</u>

SEC. 890. DEFINITIONS FOR MIXED USE DISTRICTS.

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SEC. 890.80. PUBLIC USE.

A publicly or privately owned use which provides public services to the community, whether conducted within a building or on an open lot, and which has operating requirements which necessitate location within the district, including civic structures such as museums, post offices, administrative offices of government agencies, public libraries, police stations, transportation facilities, utility installations, *including and* Internet Services Exchanges. ~~and wireless transmission facilities.~~ Such use shall not include service yards, machine shops, garages, incinerators and publicly operated parking in a garage or lot. Public uses shall also include a community recycling collection center, as defined in Subsection (a) below.

* * * *

Section 8. Article 9 of the Planning Code is hereby amended by revising Tables 912, 913 and 914 and Section 943 to read as follows:

TABLES 912, 913, 914

MISSION BAY OFFICE, COMMERCIAL-INDUSTRIAL AND HOTEL DISTRICTS (MB-O, MB-CI and MB-H) CONTROL TABLES

No.	Zoning Category	§ References	§ 912	§ 913	§ 914
			MB-O	MB-CI	MB-H
			Controls		
BUILDING STANDARDS					
* *	* * * *	* * * *	* * *	* * *	* * *
* *			*	*	*

1	<i>Wireless</i>				
2	<i>Telecommunications</i>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
3	<i>Services Facility</i>				
4	* * * *				

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6 **SEC. 943. ROOFTOP FEATURES.**

7 In all Mission Bay Use Districts, mechanical equipment and appurtenances
8 necessary to the operation or maintenance of the building or structure itself (including
9 chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for
10 the collection of solar or wind energy and window washing equipment), elevator, stair and
11 mechanical penthouses, and skylights, *Wireless Telecommunications Services Facilities*, and
12 antennae for transmission, reception, or relay of radio, television, or other electronic signals
13 when a permitted use in the district shall be enclosed and screened: (i) in such a manner that
14 the enclosure is designed as a logical extension of the building form and an integral part of the
15 overall building design; and its cladding and detailing is comparable to that of the rest of the
16 building; or (ii) by a rooftop form which is appropriate to the nature and proportions of the
17 building, and is designed to obscure the rooftop equipment and appurtenances and to provide
18 a more balanced and graceful silhouette for the top of the building. Minor features, not
19 exceeding one foot in height, shall be exempted from this regulation.

20

21 Section 9. Article 10 of the Planning Code is hereby amended by revising Section
22 1006.2 to read as follows:

23 **SEC. 1006.2. REVIEW BY PLANNING DEPARTMENT.**

24

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1 The Department shall review an application for a Certificate of Appropriateness and
2 determine within 30 days of submittal whether the application is complete or whether
3 additional information is required.

4 (a) Minor Alterations. The HPC may define certain categories of work as Minor
5 Alterations and delegate approval review of an Administrative Certificate of Appropriateness for
6 such Minor Alterations to Department staff. If the HPC delegates such approvals review to
7 Department staff, Minor Alterations shall include the following categories of work:

8 (1) Work the sole purpose and effect of which is to comply with the
9 Unreinforced Masonry Building (UMB) Seismic Retrofit Ordinance and where the proposed
10 work complies with the UMB Retrofit Architectural Design Guidelines adopted by the HPC; or

11 (2) Any other work so delegated to the Department by the HPC.

12 (b) Administrative Certificates of Appropriateness. Upon receipt of a building permit
13 application, the Department will review and render a decision on an Administrative Certificate of
14 Appropriateness ~~for Minor Alteration work may be approved by the Department~~ without a hearing
15 before the HPC. The Department shall mail the Department's written decision on an
16 Administrative Certificate of Appropriateness to the applicant and to any individuals or
17 organizations who so request. Any Departmental decision on an Administrative Certificate of
18 Appropriateness may be appealed to the HPC within 15 days of the date of the written
19 decision. The HPC may also request review of any Departmental decision on an
20 Administrative Certificate of Appropriateness by its own motion within 20 days of the written
21 decision.

22 (c) Applications for a Certificate of Appropriateness that are not Minor Alterations
23 delegated to Department staff shall be scheduled for hearing by the HPC pursuant to Sections
24 1006.3 and 1006.4 below.
25

1 Section 10. Article 11 of the Planning Code is hereby amended by revising Section
2 1111.1 to read as follows:

3 **SEC. 1111.1. DETERMINATION OF MINOR AND MAJOR ALTERATIONS.**

4 (a) The HPC shall determine if a proposed alteration is a Major Alteration or a Minor
5 Alteration and may delegate review approval of proposed Minor Alterations to Department staff,
6 whose decisions may be appealed to the HPC pursuant to subsection 1111.1(b). All work not
7 determined to be a Minor Alteration shall be a Major Alteration and subject to HPC review
8 approval. If so delegated to Department staff, the categories of Minor Alteration shall include
9 but are not limited to the following:

10 (1) Alterations whose sole purpose and effect is to comply with the UMB
11 Seismic Retrofit Ordinances and that comply with the UMB Retrofit Architectural Design
12 Guidelines, which guidelines shall be adopted by the HPC; ~~or~~ and

13 (2) Any other work so delegated to the Department by the HPC.

14 (b) Upon receipt of a building permit application and delegation of its review to Department
15 staff, the Department will review and render a decision on a Permit for Minor Alterations delegated to
16 Department staff shall be approved, approved with modifications, or disapproved as a Permit for
17 Minor Alteration by the Department without a hearing before the HPC. The Department shall
18 mail its written decision approving a Permit for Minor Alteration to the applicant and any
19 individuals or organizations who have so requested in writing to the Department. The
20 Department's decision may be appealed to the HPC within 15 days of the date of the written
21 decision. The HPC may also review the decisions of the Department by its own motion if such
22 motion is made within 20 days of the date of the written decision.

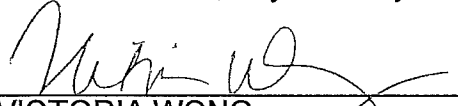
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(c) All applications for a Permit to Alter that are not Minor Alterations delegated to Department staff shall be scheduled for a hearing ~~approved, approved with modifications, or disapproved~~ by the HPC pursuant to the procedures in Section 1111.4 and 1111.5 below.

Section 11. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

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

By: 
VICTORIA WONG
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Wireless Telecommunications Services Facilities]

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

1. Definition of Wireless Telecommunications Services (WTS) Facilities

The Planning Code currently defines a Wireless Telecommunications Services (WTS) Facility but does not define "micro" and "macro" WTS Facilities. (Planning Code § 102.) In addition, the term "Wireless Telecommunications Services Facility" is not consistently used throughout the Planning Code.

2. Temporary WTS Facilities

The Planning Code currently does not define a temporary WTS Facility and does not provide for neighborhood notification for temporary WTS Facilities.

3. Land Use Controls for WTS Facilities in Various Districts

a. Classification of WTS Facilities

Under existing law, WTS Facilities are classified as different land uses depending on the zoning district. For example, a WTS Facility in a Neighborhood Commercial District pursuant to Article 7 of the Planning Code or a Mixed-Use District pursuant to Article 8 of the Planning Code is classified as a "Public Use." In Articles 2 and 9 of the Planning Code, WTS Facilities are referred to by various terms, such as "Telecommunication Antennae and Equipment."

b. WTS Facility Controls

i. Micro WTS Facilities

Micro WTS Facilities are generally permitted as Accessory Uses, except in “disfavored” locations pursuant to the WTS Facility Siting Guidelines adopted by the Planning Commission.

ii. In-Building Receiving Systems

Under existing law, certain antennas and satellite dishes that are Accessory Uses used for in-building service require a Conditional Use Authorization in the C, M and PDR Districts.

iii. P Districts

Under existing law, in a P District, the permitting requirements for a publicly-owned and -operated WTS Facility used for public communication systems are not specified. (Planning Code §§ 211.1, 211.2.)

iv. Mission Bay Districts

WTS Facilities are not specifically regulated in the Mission Bay Office, Commercial-Industrial, and Hotel Districts. Within Mission Bay Use Districts, screening and other concealment measures are required for antennas. (Planning Code §§ 912, 913, 914 & 943.)

v. RED District

A “Commercial Wireless Transmitting, Receiving or Relay Facility” is not permitted in the RED District. (Planning Code § 813.)

4. Inner Sunset, Pacific Avenue, and West Portal Neighborhood Commercial Districts

Macro WTS Facilities are not permitted on rooftops of buildings with two or more stories in the Pacific Avenue Neighborhood Commercial District, or on rooftops of buildings with three or more stories in the Inner Sunset and West Portal Neighborhood Commercial Districts. (Planning Code §§ 729, 730, & 732.)

5. Folsom and Main Residential/Commercial Special Use District

In the Folsom and Main Residential/Commercial Special Use District, a Conditional Use Authorization is required for “Wireless Facilities.” (Planning Code § 249.1.)

6. Parkmerced Special Use District

Conditionally permitted uses in the Parkmerced Special Use District, such as WTS Facilities, are not subject to the findings required by Planning Code Section 303, for a Conditional Use. Instead, they are subject to specific findings required for conditional uses in the Parkmerced Special Use District. (Planning Code Section 249.64.)

7. Bernal Heights Special Use District

Planning Code Section 242 provides that in the Bernal Heights Special Use District, “[n]o portion of a dwelling in any portion of this district shall exceed a height of 30 feet,” with an exception for “nonparabolic radio and television antennas.”

8. Height Limits for for WTS Facilities and Related Screening Elements

Screening elements (e.g., faux vent pipes) for WTS Facilities are not exempted from height limits, although certain radio and television antennae are exempt from height limits. (Planning Code § 260.)

9. Time Limits on Conditional Use Authorizations for WTS Facilities

No time limit applies to Conditional Use Authorizations, including those for WTS Facilities.

10. Notification for Sutro Tower Permit Applications

The Planning Code requires notification of “properties” within a 1,000-foot radius of Sutro Tower for any building permit for work at Sutro Tower. (Planning Code § 306.9.)

11. Neighborhood Notification for Micro WTS Facilities

In RH and RM Districts, neighborhood notification is required for any new WTS Facility that is classified as an Accessory Use. (Planning Code § 311(f).) The Zoning Administrator considers most Micro WTS Facilities to be Accessory Uses.

Notification is also required for a new WTS Facility that is an Accessory Use in the Neighborhood Commercial Districts and the Eastern Neighborhoods Mixed Use Districts. (Planning Code § 312(g).)

12. Outdoor WTS Facilities in Neighborhood Commercial and Mixed-Use Districts.

WTS Facilities are classified as a Public Use in Neighborhood Commercial and Mixed-Use Districts. All uses in these districts are required to be located within enclosed buildings, with certain exceptions, including one for “Public Uses (selected).” The term “Public Uses (selected)” is not defined. (Planning Code § 703.2.)

13. Historic Preservation Commission Review of Administrative Certificates of Appropriateness and Minor Permits to Alter

Under existing law, the Historic Preservation Commission (HPC) may define certain categories of work on landmarked structures and in historic districts as Minor Alterations and delegate approval of an Administrative Certificate of Appropriateness (ACOA) for such Minor Alterations to Planning Department staff. Department staff decisions may be appealed to the HPC. (Planning Code § 1006.2.) However, Section 1006.2 does not provide that Department staff may deny an application for an ACOA. The HPC has designated the installation of certain Wireless Telecommunications Facilities as Minor Alterations.

Similarly, under existing law, the HPC may define certain categories of work on Significant or Contributory Buildings or buildings within a Conservation District in the C-3 District as Minor

Alterations. The HPC may delegate approval of a Minor Permit to Alter for such Minor Alterations to Department staff. (Planning Code § 1111.1(a).) The Planning Code further provides that “Minor Alterations delegated to Department staff shall be approved, approved with modifications, or disapproved as a Permit for Minor Alteration by the Department without a hearing before the HPC.” (Planning Code § 1111.1(b).) The HPC has designated the installation of certain Wireless Telecommunications Facilities as Minor Alterations.

Amendments to Current Law

1. Definition of Wireless Telecommunications Services (WTS) Facilities

This ordinance would define Micro and Macro WTS Facilities as follows (Planning Code § 102):

- A Micro WTS Facility would be defined as a WTS Facility that is generally characterized by (a) limited spatial effects; (b) a small number of antennas (typically up to two); (c) an absence of substantial cumulative effects on neighborhood character or aesthetics, when considered in conjunction with other WTS Facilities at the same project site; and (d) a location that is not “disfavored” as specified in the WTS Facility Siting Guidelines adopted by the Planning Commission.
- A Macro WTS Facility would be defined as a WTS Facility generally characterized by significant spatial effects and more than two antennas, and would include all WTS Facilities not defined as Micro WTS Facilities.

This ordinance would also update references to wireless facilities in various sections of the Planning Code so that the term WTS Facility is applied consistently throughout the Planning Code. In addition, this ordinance would clarify that WTS Facilities are subject to the WTS Facility Siting Guidelines adopted by the Planning Commission.

2. Temporary WTS Facilities

This ordinance would define a Temporary WTS Facility as a WTS Facility located on a parcel of land and consisting of a vehicle-mounted facility, a building-mounted antenna, or a similar facility, and associated equipment, that is used to provide temporary coverage for a large-scale event or an emergency, or to provide temporary replacement coverage due to the removal of a permitted, permanent WTS facility necessitated by the demolition or major alteration of a nearby property. (Planning Code § 102.)

The proposed ordinance would permit Temporary WTS Facilities for up to one year, subject to certain determinations by the Zoning Administrator, including that the facility avoids residential dwellings to the maximum extent feasible, complies with the City’s noise ordinance, is no taller than needed, is screened to the maximum extent feasible, and is erected for no longer than reasonably required. Permits for Temporary WTS facilities for over 90 days would be subject to the neighborhood notification provisions of Planning Code Sections 311 and 312.

3. Land Use Controls for WTS Facilities in Various Districts

a. Classification of WTS Facilities

This ordinance would consistently classify a WTS Facility as a distinct land use throughout Articles 1, 2, 7, 8, and 9 of the Planning Code.

b. WTS Facility Controls

WTS Facilities would require a Conditional Use Authorization (CU) on all stories of a building, in all zoning districts except in the following instances:

i. Micro WTS Facilities

A Micro WTS Facility would be principally permitted in all districts governed by Planning Code Articles 2, 7 and 8.

ii. In-Building Receiving Systems

Certain antennas and satellite dishes utilized only for in-building services would be principally permitted in C, M, and PDR (except PDR-1-B) zoning districts. The antennas and dishes would remain subject to design review. (Planning Code § 204.3(c).)

iii. P Districts

Publicly-owned and -operated WTS Facilities used primarily for public communications would be principally permitted. (Planning Code §§ 211.1, 211.2.)

iv. Mission Bay Districts

To the extent not superseded by the Mission Bay Redevelopment Plan, WTS Facilities would be principally permitted in the Mission Bay Office, Commercial-Industrial, and Hotel Districts. (Planning Code §§ 912, 913, 914 & 943.)

v. RED District

Macro WTS Facilities would be prohibited in the Residential Enclave District (RED). Micro WTS Facilities would be permitted. (Planning Code § 813.)

4. Inner Sunset, Pacific Avenue, and West Portal Neighborhood Commercial Districts

Macro WTS facilities would be conditionally permitted on rooftops of all buildings in the Inner Sunset, Pacific Avenue, and West Portal Neighborhood Commercial Districts. (Planning Code §§ 729, 730, & 732.)

5. Folsom and Main Residential/Commercial Special Use District

This ordinance would strike the reference to "Wireless Facilities" from the controls for the Folsom and Main Residential/Commercial Special Use District. (Planning Code § 249.1.)

6. Parkmerced Special Use District

This ordinance would require that findings for Conditional Use Authorizations for WTS Facilities in the Parkmerced Special Use District include those findings required by Planning Code Sections 249.64 and 303.

7. Bernal Heights Special Use District

This ordinance would clarify that WTS Facilities attached to a dwelling are exempt from the 30-foot height limitation on dwellings in the Bernal Heights Special Use District.

8. Height Limits for WTS Facilities and Related Screening Elements

This ordinance would clarify that WTS Facilities and other antennas, dishes, towers and related screening elements are exempt from height limits, subject to any other applicable Planning Code provisions, including but not limited to applicable design and shadow review.

9. Time Limit for Conditional Use Authorization for WTS Facilities

This ordinance would establish a ten-year time limit for any CU for a WTS Facility approved after the effective date of the ordinance. The CU could be renewed without limitation for subsequent ten-year time periods subject to certain requirements. In addition, the ordinance would affirm existing law that in granting the CU, the Planning Commission may determine that the Director shall review and determine whether to grant any application for renewal.

10. Notification for Sutro Tower Permit Applications

This ordinance would require notification of residential tenants within a 1,000-foot radius of Sutro Tower for any building permit for Sutro Tower.

11. Neighborhood Notification for Micro WTS Facilities.

In RH and RM Districts, this ordinance would require neighborhood notification for any application for a new Micro WTS Facility other than a Temporary WTS Facility. Temporary WTS Facilities for commercial purposes in RH, RM and RTO Districts to be permitted for over 90 days would also require neighborhood notification. (Planning Code § 311(f).)

In zoning districts listed in the Neighborhood Commercial Districts and the Eastern Neighborhoods Mixed Use Districts, this ordinance would require notification for any application for a new Micro WTS Facility. Temporary WTS Facilities for commercial purposes in the Neighborhood Commercial Districts and the Eastern Neighborhoods Mixed Use Districts to be permitted for over 90 days would also require neighborhood notification. (Planning Code § 312(g).)

12. Outdoor WTS Facilities in Neighborhood Commercial and Mixed-Use Districts

The proposed ordinance would clarify that WTS Facilities are allowed outside an enclosed building in neighborhood commercial and mixed-use districts. (Planning Code § 703.2.)

13. Historic Preservation Commission Review of Administrative Certificates of Appropriateness and Minor Permits to Alter

This ordinance would clarify that Planning Department staff may deny, as well as approve, an application for an Administrative Certificate of Appropriateness or a Minor Permit to Alter under both Article 10 and Article 11 of the Planning Code, including for WTS Facilities that have been designated by the HPC as Minor Alterations. Staff decisions would still be appealable to the HPC.

Background Information

1. Definition of Wireless Telecommunications Services (WTS) Facilities

“Micro” and “macro” are terms commonly used to distinguish between types of WTS Facilities. Micro facilities are generally considered Accessory Uses by the Zoning Administrator.

2. Temporary WTS Facilities

Temporary WTS facilities are typically used to provide wireless coverage for large-scale events, or in the event an existing permanent WTS facility is removed or shut down due to construction activity. These facilities are typically composed of antennas and a mast mounted on a truck (also known as a cell on wheels, or “COW”), or antennas mounted on sleds on rooftops.

3. Land Use Controls

In-Building Receiving Systems

Until 2014, the Planning Code contained a provision allowing certain antennas and satellite dishes used for in-building service to be principally permitted in C, M, and PDR (except for PDR-1-B) districts. This provision was inadvertently deleted by Ordinance 232-14.

P Districts

Until 2015, a publicly-owned and -operated WTS Facility used for public communication systems was principally permitted in P districts. This provision was inadvertently deleted by Ordinance 22-15.

4. WTS Facilities in the Inner Sunset, Pacific Avenue, and West Portal NCDs

In most Neighborhood Commercial Districts in San Francisco, Public Uses are allowed on the first, second, and third-and-above stories of buildings. However, in the Inner Sunset, Pacific Avenue, and West Portal NCDs, Public Uses, which include WTS Facilities, are restricted to the first or the first and second floors. This tends to preclude rooftop Macro WTS Facilities, which are typically placed on buildings with three or more stories, in favor of a greater number of Micro WTS Facilities on other buildings. This also tends to preclude antennas hidden within business blade signs that could be placed on a building façade parallel to the third story.

5. Folsom and Main Residential/Commercial Special Use District

The proposed change would strike the requirement that WTS Facilities obtain a Conditional Use Authorization in this Special Use District. The current provision is duplicative because Macro WTS Facilities are already conditionally permitted in this Special Use District based on the underlying RC-4 zoning.

6. Parkmerced Special Use District

The proposed ordinance would make the CU process for the Parkmerced Special Use District more consistent with the generally applicable CU process in Planning Code Section 303.

7. Bernal Heights Special Use District

The proposed ordinance would exempt WTS facilities and associated screening elements from height limits. The Planning Department expects that this change would likely have only limited effect as the majority of Bernal Heights is zoned RH-1, where WTS facilities are disfavored.

8. Height Limitations for Screening Elements for WTS Facilities

Exempting screening elements from height limits would allow screening elements to reach the full height of the WTS Facilities that they are screening from view.

9. Time Limit for Conditional Use Authorizations for WTS Facilities

The ten-year limit on new CUs for WTS Facilities is consistent with similar time limits applied by various other cities and counties in California. In addition, Article 25 of the Public Works Code currently places a ten-year time limit on permits for wireless facilities located in the public right-of-way. The proposed time limit would enable the Planning Commission to review and address cumulative modifications to WTS Facilities that individually do not require permits.

10. Notification for Sutro Tower Permit Applications

This ordinance would conform Planning Code § 306.9 to current practice, which is to notify all residential tenants in the relevant area.

11. Neighborhood Notification for Micro WTS Facilities

The proposed ordinance would delete the requirement for neighborhood notification in the RED District because that requirement is redundant: Section 312 noticing is already required for Eastern Neighborhoods Mixed-Use Districts, which includes the RED District.

12. [omitted]

13. Historic Preservation Commission Review of Administrative Certificates of Appropriateness and Minor Permits to Alter

A recently enacted State law, AB 57, requires that a permit application for a WTS Facility shall be "deemed approved" if a city or county does not make a decision on the application within 90 or 150 days, depending on the type of application (collocation or new facility). These

FILE NO. 160477

deadlines, which were first adopted by the Federal Communications Commission, are referred to as “shot clocks.”

In order to ensure that WTS Facility permits are processed within the time allowed by AB 57, the proposed ordinance would clarify that the Historic Preservation Commission may delegate to Planning Department staff the power to administratively deny, as well as approve, a Minor Permit to Alter and an Administrative Certificate of Appropriateness.

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SAN FRANCISCO PLANNING DEPARTMENT

July 12, 2016

Ms. Angela Calvillo, Clerk
Honorable Supervisor Avalos
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2014-001711PCA:
Wireless Telecommunications Services (WTS) Facilities Update
Board File No. 160477
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Avalos,

On June 16, 2016, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance that would amend the Planning Code. At the hearing the Planning Commission recommended approval. On June 1, 2016, the Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance and recommended approval.

The Planning Commission recommended a finding be added to the resolution, to encourage the use of less-intrusive (e.g. noise and exhaust) backup generators, when utilized at WTS facilities.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Aaron D. Starr".

Aaron D. Starr
Manager of Legislative Affairs

cc:
Victoria Wong, Deputy City Attorney
Frances Hsieh, Aide to Supervisor Avalos
Alisa Somera, Office of the Clerk of the Board

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19666 Planning Code Amendment Adoption

HEARING DATE: JUNE 16, 2016

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Project Name: Wireless Telecommunications Services (WTS) Facilities
(aka "cell antennas") Planning Code Update

Case Number: 2014-001711PCA [Board File No. 160477]

Initiated by: Supervisor Avalos / Introduced May 2016

Staff Contact: Omar Masry, Senior Analyst
Omar.Masry@sfgov.org, 415-575-9116

Reviewed by: Anmarie Rodgers, Senior Policy Advisor

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO DEFINE WIRELESS TELECOMMUNICATIONS SERVICES (WTS) FACILITIES; 2) CREATE DISTINCT WTS FACILITY LAND USE CONTROLS; 3) REQUIRE A CONDITIONAL USE AUTHORIZATION (CU) FOR MACRO WTS FACILITIES IN MOST ARTICLE 2, 7 AND 8 DISTRICTS; 4) REGULATE MICRO WTS FACILITIES IN ALL DISTRICTS; 5) REQUIRE THAT A WTS FACILITY'S CU SHALL EXPIRE AFTER TEN YEARS; 6) REGULATE WTS FACILITIES IN CERTAIN MISSION BAY DISTRICTS AND P DISTRICTS; 7) EXEMPT CERTAIN TELECOMMUNICATIONS EQUIPMENT ACCESSORY USES FROM HEIGHT LIMITATIONS; 8) ALLOW SCREENING ELEMENTS FOR WTS FACILITIES TO EXCEED HEIGHT LIMITS, CONSISTENT WITH EXISTING HEIGHT LIMIT EXEMPTIONS FOR ANTENNAS; 9) DEFINE AND REGULATE TEMPORARY WTS FACILITIES; 10) ALLOW THE HISTORIC PRESERVATION COMMISSION TO DELEGATE DETERMINATIONS ON APPLICATIONS FOR ADMINISTRATIVE CERTIFICATES OF APPROPRIATENESS AND MINOR PERMITS TO ALTER TO PLANNING DEPARTMENT STAFF; 11) AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1; AND 12) MAKE FINDINGS UNDER PLANNING CODE SECTION 302

PREAMBLE

Whereas, in 1996 the City adopted comprehensive WTS Facility Siting Guidelines to ensure adequate review of WTS facilities, given the over 200 WTS facilities estimated would be needed in San Francisco, to provide sufficient mobile voice coverage; and

Whereas, to date there are approximately 1,400 wireless facilities (including WTS facilities primarily mounted on buildings, and Personal Wireless Services Facilities mounted on light and utility poles) in San Francisco, that used to provide both mobile voice and data coverage;

Whereas, the installation of WTS facilities and Personal Wireless Services facilities (hereinafter “wireless facilities”); whether on buildings or attached to light/utility poles, can, if poorly designed or modified, negatively affect (e.g. noise from equipment/generators, tenant displacement, and views) properties include those considered historic resources, and detract from views within historic districts; and

Whereas, State and Federal laws tend to limit, but do not preclude the City’s jurisdiction over wireless facilities, and a recently enacted State law (Government Code Section 65964.1) may create a deemed granted remedy (automatic approval) if the City does not make a decision on an application for a WTS facility within 150 days (new facilities) or 90 days (major changes to existing facilities and collocations); and

Whereas, the Historic Preservation Commission has determined that certain scopes of work can be considered minor in nature (including scopes of work such as storefront alterations, signage, WTS facilities on buildings or inside signage, and Personal Wireless Services Facilities in the public right-of-way) and delegated approval by Department staff to approve such applications through an Administrative Certificate of Appropriateness (Article 10 of the Planning Code) or Minor Permit to Alter (Article 11 of the Planning Code); and

Whereas, Articles 10 and 11 of the Planning Code do not specify in a consistent manner whether Planning Department staff may administratively render a decision, including denial of an Administrative Certificate of Appropriateness or Minor Permit to Alter if the proposed wireless facility application is not considered consistent with the U.S. Secretary of the Interiors Standards for the Treatment of Historic Properties; and

Whereas, the Planning Code allows antennas and towers to exceed height limits, but does not address height limits (or exemptions) for the screening elements typically used to screen antennas or equipment; and

Whereas, when height limit exemptions were added to the Planning Code for antennas and towers, screening elements such as faux vent pipes were not available or widely in use; and

Whereas, the Planning Code does not define “Micro” WTS facilities, nor address siting provisions; and

Whereas, the Planning Code does not define Temporary WTS facilities, nor address siting provisions; and

Whereas, the Planning Code precludes WTS Facilities from upper stories of the Inner Sunset, Pacific Avenue, and West Portal Neighborhood Commercial Districts by virtue of their inclusion within the same land use of “Public Use;” and

Whereas, previous Planning Code Amendments unintentionally removed code provisions addressing WTS facilities in P districts and Large Scale Receiving Systems (in C, M, and certain PDR zoning districts) as an Accessory Use; and

Whereas, the Planning Code does not feature a time limit for Conditional Use Authorizations for WTS facilities; and

Whereas, the overall changes in wireless facility proliferation and the form factors involved warrant changes to the Planning Code; and

WHEREAS, the proposed legislation is intended to resolve the aforementioned issues; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on March 17, 2016, and recommended initiation (Motion No. 19591) of the proposed Ordinance on June 16, 2016; and

WHEREAS, on May 3, 2106, Supervisor Avalos introduced the proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 160477; and

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on June 1, 2016, and recommended adoption (Motion No. 764) of the proposed Ordinance on June 1, 2016; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider recommending adoption of the proposed Ordinance on June 16, 2016; and

Whereas, the Planning Department has determined that the proposed Ordinance/amendment is not considered a project under Sections 15060(c)(2) and 15378 of the CEQA Guidelines because it does not result in a physical change in the environment; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance:

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors approve the proposed ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- The challenges associated with ensuring wireless facilities are installed and modified in the least-intrusive manner possible warrants updates to the Planning Code.

- The proposed code amendments will allow for orderly development and modification of WTS facilities and timely review of certain historic preservation applications, including applications for WTS Facilities, Personal Wireless Services Facilities, and other scopes of works, considered minor in nature, such as storefront alterations and signage.
 - Amending the Planning Code would improve the ability of the City to work with the community and wireless carriers to seek opportunities for less-intrusive wireless siting while allowing for robust coverage and capacity.
 - The proposed changes to Articles 10 and 11 of the Planning Code would clarify the ability for Department staff to approve or deny an Administrative Certificate of Appropriateness or Minor Permit to Alter.
 - Department staff shall work with wireless carriers to evaluate opportunities to use cleaner fuel sources, in lieu of diesel-fueled generators for backup power supply.
1. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

BALANCE HOUSING CONSTRUCTION AND COMMUNITY INFRASTRUCTURE

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.3:

Ensure new housing is sustainably supported by the City's public infrastructure systems.

The proposed amendments would continue to provide a means for wireless carriers to provide robust wireless services.

URBAN DESIGN ELEMENT

Objectives and Policies

HUMAN NEEDS

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.14:

Remove and obscure distracting and cluttering elements.

The proposed amendments would allow carrier to better integrate WTS facilities into the built environment by allowing for scale and context appropriate screening elements to be used in more instances.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development, which provides substantial net benefits and minimizes undesirable consequences. Discourage development, which has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The proposed amendments would enhance the total city living and working environment by continuing to allow communication services for residents and workers within the City. The ability for Department staff to render a decision (including denial) for an Administrative Certificate of Appropriateness or Minor Permit to Alter would provide for timely decisions on those scopes of work previously considered minor and delegated to staff for review. Additionally, the Project would comply with Federal, State and Local performance standards.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed amendments would continue to allow the City to permit the development of wireless communications networks that would enhance the City's diverse economic base.

OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.1:

Maintain and enhance a favorable business climate in the City.

Policy 4.2:

Promote and attract those economic activities with potential benefit to the City.

The proposed amendments would benefit the City by enhancing the business climate through improved communication services for residents and workers.

VISITOR TRADE

OBJECTIVE 8:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

Policy 8.3:

Assure that areas of particular visitor attraction are provided with adequate public services for both residents and visitors.

The proposed amendments would continue to ensure that residents and visitors have adequate public service in the form of competitive telecommunications services.

COMMUNITY SAFETY ELEMENT

Objectives and Policies

OBJECTIVE 3:

ESTABLISH STRATEGIES TO ADDRESS THE IMMEDIATE EFFECTS OF A DISASTER.

Policy 1.20

Increase communication capabilities in preparation for all phases of a disaster and ensure communication abilities extend to hard-to-reach areas and special populations.

Policy 2.4

Bolster the Department of Emergency Management's role as the City's provider of emergency planning and communication, and prioritize its actions to meet the needs of San Francisco.

Policy 2.15

Utilize advancing technology to enhance communication capabilities in preparation for all phases of a disaster, particularly in the high-contact period immediately following a disaster.

Policy 3.7:

Develop a system to convey personalized information during and immediately after a disaster.

The proposed amendments would continue to enhance the ability of the City to protect both life and property from the effects of a fire or natural disaster by providing communication services.

2. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

By adopting the proposed amendments, the Planning Commission's intends to conserve and protect neighborhood character by ensuring WTS facilities are well-designed and do not detract from individual building, including neighborhood-serving retail uses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

By adopting the proposed amendments, the Planning Commission's intends to conserve and protect neighborhood character by ensuring WTS facilities are well-designed and do not detract from individual buildings and neighborhood character.

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance and procedural changes will have no adverse effect on the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinance and procedural changes will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would provide greater means to balance the siting and design challenges associated with WTS facilities, while still providing robust wireless coverage and capacity that is important to residents, and the City's economic activities.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected. Any new construction

or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

Landmarks and historic buildings would be unaffected by the proposed amendments and procedural changes. Should a proposed use be located within a landmark or historic building, such site would be evaluated under all applicable Planning Code provisions and comprehensive Planning Department policies. The ability for Department staff to render a decision (including denial) for an Administrative Certificate of Appropriateness or Minor Permit to Alter would provide for timely decisions on those scopes of work previously considered minor and delegated to staff for review.


H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposal. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

3. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance as described in this Resolution.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on June 16, 2016.



Jonas P. Ionin
Commission Secretary

AYES: Antonini, Hillis, Johnson, Moore, Richards, Wu

NAYS: None

ABSENT: Fong

ADOPTED: June 16, 2016



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment Adoption HEARING DATE: JUNE 16, 2016

Project Name: Wireless Telecommunications Services (WTS) Facilities
(aka "cell antennas") Planning Code Update

Case Number: 2014-001711PCA [Board File No. 160477]

Initiated by: Supervisor Avalos / Introduced May 3, 2016

Staff Contact: Omar Masry, Senior Analyst
Omar.Masry@sfgov.org, 415-575-9116

Reviewed by: Anmarie Rodgers, Senior Policy Advisor

Recommendation: **Recommend Approval**

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PLANNING CODE AMENDMENT

The proposed Ordinance amends Articles 1, 2, 3, 4, 7, 8, and 9 of the San Francisco Planning Code to: clarify that the Historic Preservation Commission may determine certain scopes of work (including applications for scopes of work involving WTS facilities) as minor in nature (as it currently does) and delegate to Planning Department staff, the ability to render a decision (including disapproval); and create a definition of Micro WTS facilities; and principally permit Micro WTS facilities in all zoning districts subject to specific limitations; and exempt screening elements from height limits for Micro and Macro WTS facilities, consistent with the exemption currently applied to antennas, dishes and towers; and create a consistent and distinct land use class for WTS facilities; and permit WTS facilities as a Conditional Use on upper stories within all neighborhood commercial districts; and create a process for review of temporary WTS facilities; and make environmental findings, and findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1; and make findings under Planning Code Section 302.

The Way It Is Now:

1. Administrative Review of Certain Historic Resource Specific Permit Applications: Article 10 of the Planning Code allows the Historic Preservation Commission to define certain categories of work as minor alterations, and to delegate approval of an Administrative Certificate of Appropriateness (ACOA) to Department staff. No reference is made to the ability of Department staff to deny an application for an ACOA.

Article 11 of the Planning Code allows the Historic Preservation Commission to define certain categories of work as minor alterations and delegate approval of a Minor Permit to Alter (MPTA) to Department staff in subsection (a); however no reference is made to the ability of Department staff to deny an application for an MPTA, except in subsection (b).

2. Land Use Definition: The Planning Code includes a definition of WTS facilities, but does not define "Micro" WTS Facilities; which are currently classified by the Zoning Administrator as an Accessory Use; subject to carrier and facility-specific letters of determination. In addition, the Planning Code does not

include a definition for Temporary WTS facilities.

3. Large-Scale Receiving Systems: In a recent Planning Code Amendment (Ordinance 232-14), a code provision was unintentionally deleted, that allows certain antenna/dishes (e.g. large satellite dishes on the roof of a broadcast studio) used for in-building service to be principally permitted in C, M, and PDR districts.

4. Temporary WTS Facilities: The Planning Code does not reference temporary WTS facilities (e.g. antennas mounted on weighted sleds on roofs, or antennas and a mast attached to a truck), that are typically used for large-scale events, or to provide wireless coverage in the event an existing permanent WTS facility is removed or shut down to construction activity at the underlying Project site.

5. Land Use Controls: WTS facilities are classified as different land uses depending on the type of zoning district. For example, WTS facilities in Article 7 (neighborhood commercial districts) and Article 8 (mixed-use districts) of the Planning Code are classified within the same definition of a "Public Use." The definition of a "Public Use" includes WTS facilities as well as uses such as museums, post offices, and WTS facilities. In Articles 2 and 9, WTS facilities are referred to with various names, such as "Telecommunication Antennae and Equipment."

6. P Districts: In a recent Planning Code Amendment (Ordinance 22-15), a code provision was unintentionally deleted from Section 211.2 that governed whether a WTS facility was prohibited, permitted, or permitted as a Conditional Use in P districts.

7. Parkmerced Special Use District (SUD): Uses requiring a Conditional Use in the Parkmerced SUD, such as WTS facilities, are not subject to the "necessary, desirable, and compatible" findings required by Planning Code Section 303, for a Conditional Use; but are instead subject to specific findings required for conditional uses in the Parkmerced Special Use District.

8. Bernal Heights Special Use District (SUD): The Bernal Heights SUD features specific rules for TV antennas and non-parabolic dishes, but does not reference other types of WTS facilities.

9. Height Limits: Radio and television antenna are exempt from height limits, subject to limitations imposed by the Planning Commission and provisions specified in the Planning Code. No reference is made to height limits for screening elements (e.g. faux vent pipes) that are typically used to integrate a WTS facility into the built environment.

10. Conditional Uses: No time limit applies to Conditional Use authorizations, including those for WTS facilities (where required).

11. Sutro Tower: The Planning Code requires notification of "properties" within a 1,000-foot radius of Sutro Tower for any building permit for work at Sutro Tower. No reference is made to residential tenant notification, as is current practice.

12. Neighborhood Notification for Micro WTS facilities and Temporary WTS Facilities: Neighborhood notification is required for any new Micro WTS facility (which is classified as an Accessory Use), in an RH or RM zoning districts. Notification is also required for new Micro WTS facilities within zoning districts

listed in Article 7 and most of those districts listed in Article 8 of the Planning Code. No reference is made to neighborhood notification for temporary WTS facilities.

13. Uses Permitted in Neighborhood Commercial and Mixed-Use Districts: WTS facilities are classified as a Public Use in neighborhood commercial and mixed-use districts. All uses in these districts are required to be located within enclosed buildings, except for certain uses such as “Public Uses (selected).” No other reference is made to the term “selected.”

14. Mission Bay Office, Commercial-Industrial, and Hotel Districts: WTS facilities are not referenced within these zoning districts. The majority of areas zoned with a Mission Bay prefix are subject to the Mission Bay Redevelopment Plan, instead of the Planning Code; with the exception of the Mission Bay Office (MB-O) zoning district, which currently features the 4th and King Caltrain Station.

15. Rooftop features within Mission Bay Use Districts: Screening or other concealment measures are required for antennas, but no reference is made to WTS facilities, which include other elements such as dishes, equipment cabinets and supporting structures.

16. Folsom and Main Residential/Commercial Special Use District (SUD): The SUD controls include a provision requiring a Conditional Use authorization for “Wireless facilities.”

The Way It Would Be:

1. Administrative Review of Certain Historic Resource Applications: Allow Department staff to render a decision (including disapproval) of an application for an Administrative Certificate of Appropriateness (ACOA) or Minor Permit to Alter (MPTA), if the scope of work has been defined as minor, and delegated by the Historic Preservation Commission to Department staff for review. This change would apply to scopes of work that the Historic Preservation Commission determines can be delegated to Planning Department staff for review. These scopes include WTS facilities and other types of construction, such as signage or certain storefront alterations. These applications do not automatically require a Historic Preservation Commission hearing.

2. Land Use Definition: The Planning Code would:

- Create a single definition of “WTS facilities” and clarify that WTS facilities are subject to the WTS Facility Siting Guidelines.
- Add a definition for a “Micro WTS facility” as applying only to Preference 1 through 6 locations¹ and typically featuring one (1) or two (2) antennas, and smaller equipment, as compared to Macro WTS facilities.

¹ The definition of a Micro WTS facility would indicate this land use would not apply to preference 7 (disfavored) locations as defined in the WTS Facility Siting Guidelines. In a Preference 7 location (e.g. a single-family dwelling in an RH zoning district) a Conditional Use Authorization would be required.

- Add a definition of a “Temporary WTS facility.” These facilities are typically composed of antennas and a mast mounted on a truck (also known as a cell on wheels, or “COW”), or antennas mounted on sleds on rooftops.

3. Large-Scale Receiving Systems: The proposed ordinance would exempt certain antennas/dishes, regardless of height, from requiring a Conditional Use authorization if utilized only for in-building service in C, M, and PDR (except PDR-1-B) zoning districts. The antennas/dishes would remain subject to design review.

4. Temporary WTS Facilities: The proposed ordinance would permit Temporary WTS facilities (e.g. temporary antennas mounted on weighted sleds on rooftops, or antennas and a mast attached to a truck), for up to one (1) year, subject to certain determinations by the Zoning Administrator, including avoiding residential dwellings to the maximum extent feasible, complying with the City’s noise ordinance, being no taller than needed, incorporating screening to the maximum extent feasible, and being erected for no longer than reasonably required.

In addition, permits for temporary WTS facilities for over 90 days would be subject to the neighborhood notification provisions found in Planning Code Sections 311 and 312.

Lastly, the Planning Department may require, where appropriate, notices along street frontages abutting the location of the temporary WTS facility, indicating the nature of the facility and the duration of the permit.

5. Land Use Controls: The proposed ordinance would indicate that WTS facilities would be:

- Consistently classified as a distinct land use (WTS facility) throughout Articles 1, 2, 7, 8, and 9 of the Planning Code.
- Permitted by Conditional Use authorization, on all stories, in all zoning districts except in the following instances:
 - Permitted if a “qualifying” (e.g. in a Preference 1 through 6 location as defined by the WTS Facility Siting Guidelines) Micro WTS facility.
 - Prohibited, unless a qualifying Micro WTS facility, in the Residential Enclave District (RED); which is confined to relatively minor areas of the South of Market Area (SOMA) Neighborhood.
 - Permitted if located in a C, M, or PDR (except PDR-1-B) zoning district, and complies with specific height and screening limitations. For example, a freestanding WTS facility (e.g. faux water tower) would require a Conditional Use authorization, even if located in a PDR zoning district.
 - Permitted in most Mission Bay (including Mission Bay Office or “MB-O”) zoning districts; per Article 8 of the Planning Code, or the Mission Bay Redevelopment Plan.

The reference to “wireless facilities” would be stricken from the controls for the Folsom and Main Residential/Commercial Special Use District, as WTS facilities are already permitted as a Conditional Use in the underlying RC-4 zoning district.

6. P Districts: The proposed ordinance would indicate that commercially-operated WTS facilities would be permitted by Conditional Use authorization, and publicly-operated WTS facilities would be permitted.

7. Parkmerced Special Use District: The proposed ordinance would clarify that findings for Conditional Use authorizations for WTS facilities to include those findings required by both the Parkmerced Special Use District (currently in effect), and Section 303 (new) of the Planning Code.

8. Bernal Heights Special Use District (SUD): The proposed ordinance would indicate that WTS facilities, including screening elements would be noted as exempt from height limits.

9. Height Limits: The proposed ordinance would include WTS facilities, and other antennas, dishes, towers and related screening elements within the scope of those structures exempt from height limits; though subject to any applicable Planning Code provisions, including but not limited to applicable design review criteria and Planning Code Section 295 (shadows on parks).

10. Conditional Uses: The proposed ordinance would establish a ten (10) year time limit for any Conditional Use authorization for a WTS facility approved after the effective date of the ordinance. The authorization could be renewed without limitation for subsequent ten (10) year time periods subject to certain filing requirements. In addition, the Planning Commission may, in granting the Conditional Use authorization, determine that the Director shall review and determine whether to grant any application for renewal. This change would not affect the requirement that the wireless carrier construct the WTS facility within three (3) years of the effective date of the Conditional Use authorization approval; and that WTS facilities be removed, pursuant to a building permit application, within six (6) months, if abandoned or inactive for a period of more than six (6) months.

11. Sutro Tower: The proposed ordinance would require notification of both property owners and residential tenants within a 1,000-foot radius of Sutro Tower for any building permit for Sutro Tower. This is consistent with current practice.

12. Neighborhood Notification for Micro WTS facilities: The proposed ordinance would require neighborhood notification, for those project sites subject to Planning Code Section 311 or 312, for permits to allow a temporary WTS facility for over 90 days. A reference to RED zones would be stricken, as Section 312 noticing is already required for Eastern Neighborhoods Mixed-Use Districts, which includes RED.

13. Uses Permitted in Neighborhood Commercial and Mixed-Use Districts: The proposed ordinance would include WTS facilities within the list of uses allowed outside an enclosed building in neighborhood commercial and mixed-use districts.

14. Mission Bay Office, Commercial-Industrial, and Hotel Districts: The proposed ordinance would allow WTS facilities as a principally permitted use within these zoning districts. Mission Bay Office districts are not within the area where the Mission Bay Redevelopment Plan supersedes the Planning Code.

15. Rooftop features within Mission Bay Use Districts: The proposed ordinance would require screening or other concealment measures would be required for antennae, and other elements associated with WTS facilities such as dishes, equipment and supporting structures.

16. Folsom and Main Residential/Commercial Special Use District (SUD): The proposed ordinance would strike a provision requiring a Conditional Use authorization for "Wireless facilities."

ISSUES AND CONSIDERATIONS

Intent of the proposed changes:

- a) Allow Planning Department staff, the Historic Preservation Commission, the Planning Commission, community members, and wireless carriers to work towards siting and design opportunities that may allow the least-intrusive means of providing wireless coverage and capacity; while still complying with Federal and State laws (including timing challenges described below) that preempt some, but not all of the City's jurisdiction over many types of WTS facilities.
- b) Reduce potential challenges to providing timely decisions, at staff level (whether approval or denial) on certain historic preservation (ACOA or MPTA) applications (including applications for both WTS and Personal Wireless Services facilities²). This issue is pertinent due to a recently enacted State law³ that may create a deemed approved remedy, or "automatic approval" if the City does not make a decision on a WTS or Personal Wireless Services facility application, within either 90 or 150 days, as described below.
- c) Provide clarity with respect to how WTS facilities are classified based on the type (e.g. whether Micro or Macro) of facility, and zoning district.

Overall timing challenges for WTS Facilities: A State law⁴ took effect on January 2016, that creates a deemed approved remedy, or "automatic approval" if any City/County in California does not make a decision on an application or a WTS facility within 150 days (for new WTS facilities) or 90 days for certain types of modifications and collocations at Project sites featuring an existing WTS facility. These deadlines are referred to as "Shot Clocks" and raise a number of concerns including:

- Ensuring adequate environmental review.
- Ensuing appeal rights are preserved.
- Ensuring sufficient time to review and redesign a project. While the "Shot Clock" can be paused for an "incomplete" application, no such pause is afforded if the application is not viable

² Personal Wireless Services Facilities are typically composed of antennas and equipment mounted in the public right-of-way. Permits are issued by the Department of Public Works, subject to Planning Department staff review, including an Administrative Certificate of Appropriateness; if located in an Article 10 landmark district.

³ AB 57 (Government Code Section 65964.1) became effective January 2016.

appropriate, code complying, if the Project Sponsor is not willing to evaluate feasible alternatives.

The challenge of this State law is that it places Department staff in a position where they may need to schedule applications for a public hearing⁵ with a denial recommendation, if the project is not only complete, but also compatible and code-complying approximately 45 days before the applicable Shot Clock will lapse⁶.

Timing of Certain Historic Preservation Applications: In light of the new Shot Clocks one area of concern would be a scenario in which an application is submitted and the Shot Clock is approaching; however the design is not compatible and consistent with preservation standards.⁷ Department staff may be unable to deny the facility, based on current code language, but must instead refer the project, with a denial recommendation to the Historic Preservation Commission.

In this instance, one key challenge would be conducting public notification prior to the Historic Preservation Commission hearing. This challenge is more pronounced because mailing lists of nearby property owners and occupants are not always required as part of the initial ACOA/MPTA⁸ application submittal. In these instances only a building permit application⁹ (along with submittal requirements) and application for an ACOA/MPTA is required.

Allowing the Historic Preservation Commission (HPC) the option to delegate to Department staff the ability not just approve, but potentially deny an ACOA or MPTA, would ease an otherwise challenging time constraint. It would also eliminate the risk that an inappropriate project would be “deemed approved” without meeting local requirements

Height Limits: Section 260 of the Planning Code currently exempts antennas, dishes, and supporting towers from height limits; while maintaining limitations imposed by the Planning Commission. The proposed change would exempt screening elements typically used to screen antennas, dishes, towers and other supporting elements from view, or within elements considered contextually appropriate within a given location.

The majority of the over 750 Micro and Macro WTS facilities in San Francisco consist of rooftop-mounted antennas or dishes, and equipment cabinets found on rooftops or inside basements and other building recesses. Screening for these elements typically consists of faux vent pipes, faux stairwell/elevator penthouses, faux parapets, and screen boxes for façade mounted antennas. These faux elements are composed of a fiberglass like element that can be textured and painted to mimic steel, concrete, brick or

⁵ For those WTS facilities requiring a public hearing before the Planning Commission and/or Historic Preservation Commission.

⁶ The 45-day estimate is due in part to the time needed to ensure complete staff review and also conduct any required public noticing.

⁷ U.S. Secretary of the Interiors’ Standards for the Treatment of Historic Properties.

⁸ Pursuant to Article 10 of the Planning Code, and Historic Preservation Commission Motion No. 0241, an Administrative Certificate of Appropriateness (ACOA) is typically required for a WTS facility that is at a property considered a landmark, or within an Article 10 landmark district. A Minor Permit to Alter (MPTA) is typically required for a WTS that is at a property designated under Article 11 of the Planning Code, or within a designated Article 11 district. No MPTA is required if the subject building is designated as a Category V (Unrated) building and located outside of a designated (named) Article 11 district.

⁹ Personal Wireless Services Facilities are subject to permits from the Department of Public Works; however an ACOA is still required if located within an Article 10 landmark districts.

stucco elements, while still allowing radio waves to pass through the screening elements. In previous years there has not been a robust consistency of Department application with respect to how height limits are applied to screening elements.

One area of challenge with existing height limit rules is that while a given Project Site may seem to be a compatible and scale-appropriate candidate for a rooftop-mounted Micro/Macro WTS facility; the height limits in place may preclude antenna and equipment screening on buildings that exceed the current height limit. This precludes the use of appropriate screening elements such as faux penthouses or vent pipes on the existing building.

The proposed Planning Code change would preserve the City's ability to ensure screening is consistent with applicable design review criteria. Screening elements above 40 feet would still be subject to shadow review pursuant to Planning Code Section 295.

Ten Year Time Limits for WTS Facilities Permitted as Conditional Use: : The proposed change would place a ten-year time limit on any Conditional Use Authorization for a WTS facility approved after the effective date of the proposed ordinance.

The current Planning Code does not currently impose a time limit for any WTS facilities. However, Article 25 of the Public Works Code places a ten-year time limit on permits for wireless facilities located in the public right-of-way.

The proposed change would not apply to new "Micro" WTS facilities, which do not typically require a Conditional Use authorization. Nor would the proposed change apply to permitted WTS facilities in C, M, MB, or PDR (except PDR-1-B) zoning districts.

The proposed change would also include a provision that the Planning Commission may choose to delegate subsequent Conditional Use Authorizations, for WTS facilities, to the Director, for subsequent ten-year periods.

The proposed time limit is recommended because it would help address changes to many WTS facilities themselves over time. This change is consistent with the time limits applied to both wireless facilities in the public right of way in San Francisco, and with time limits established for macro WTS facilities (on private property) by many other cities/counties in California.

Land Use Controls: The proposed change would create a more consistent and distinct land use for WTS facilities throughout relevant portions of the Planning Code. It would also clarify that "Macro" WTS facilities are conditionally permitted on rooftops of two or more story buildings in the Inner Sunset, Pacific Avenue, and West Portal Neighborhood Commercial Districts (NCDs).

Currently, Articles 7 and 8 of the Planning Code classify WTS facilities within the same land use class of "Public Use."

In nearly every NCD in San Francisco, Public Uses are allowed on the first, second, and "three+" stories of buildings. However, in three specific NCDs (Inner Sunset, Pacific Avenue, and West Portal), Public Uses are restricted to just the 1st or the 1st and 2nd floor. This tends to effectively preclude rooftop macro WTS facilities that are typically placed on buildings with three or more stories (to achieve sufficient height for signal coverage and a design that is scale/context appropriate). This also tends to preclude antennas hidden within business blade signs if placed on a building façade parallel to the third-story.

The proposed code change would create a distinct land use for WTS facilities throughout the Planning Code and clarify where they are permitted, prohibited, and permitted with a Conditional Use authorization.

Definition of WTS facilities: The proposed changes are intended to:

- Provide a clearer definition of WTS facilities that recognizes the varying types of infrastructure.
- Clarify that a WTS facility may be located outside of an enclosed building.
- Differentiate WTS facilities from small receiving systems such as personal satellite dishes, TV antennas, and customer-serving small microwave dishes;¹⁰ from neighborhood serving WTS facilities and AM/FM/TV broadcast facilities.
- Clarify that WTS facilities are also subject to the WTS Facility Siting Guidelines, in addition to Planning Code provisions.
- Provide a new definition for a Micro WTS facility (typically 1 to 2 antennas and smaller equipment than a typical Macro WTS facility) consistent with previous determinations by the Zoning Administrator.
- Provide a definition for a temporary WTS facility as described further below.

Temporary WTS Facilities: The proposed change would provide a process for review and potential approval of temporary WTS facilities that is not currently addressed in the Planning Code.

Temporary WTS facilities are not typically needed in areas, other than some City parks, where WTS facilities would typically require a Conditional Use authorization, such as NC districts, but a primary example of when they are needed would be when an office building with an existing (permanent) rooftop-mounted WTS facility is demolished or substantially altered. The proposed code language would allow Planning Department staff to review applications for Temporary WTS facilities. This would enable the Department to ensure that any temporary WTS facilities are minimally intrusive and installed for as limited duration as needed, and for a maximum period of one year. Further, this change would require that permits for WTS facilities in excess of 90 days would be subject to Planning Code Section 311 and 312 neighborhood notification.

The proposed provision would also articulate the process for wireless networks to be brought back online in the event of a major disaster, such as an earthquake, without the need to obtain any special exemptions.

Parkmerced Special Use District: The proposed requirement that findings for WTS facilities requiring a Conditional Use authorization would comply with both the Parkmerced required conditional use findings, and the findings required by Section 303 (for Conditional Uses in nearly all zoning districts) of the Planning Code, is intended to provide consistency in the findings required for WTS facilities.

¹⁰ Typically used by Wireless Internet Service Providers, or "WISPs" to provide in-building broadband connectivity.

Folsom and Main Residential/Commercial Special Use District (SUD): The proposed change would strike the requirement that WTS facilities obtain a Conditional Use authorization. This language is essentially duplicative since Macro WTS facilities are already permitted as a Conditional Use in this SUD by virtue of the underlying RC-4 zoning district. Micro WTS facilities would change from being potentially approved as an Accessory Use, to being permitted.

Bernal Heights Special Use District (SUD): The proposed change would indicate that WTS facilities (and by extension screening elements) are exempt from height limits. This change would likely have only limited effect as the majority of Bernal Heights is zoned RH-1 where WTS facilities are disfavored, though not prohibited.

Sutro Tower: The proposed change would clarify that both property owner (as is currently required) and residential tenant notification is required for properties within 1,000 feet of the parcel containing Sutro Tower; in the event that a building permit is filed. The proposed change would provide consistency with past practice of notifying residential tenants in addition to property owners.

Other proposed changes:

- Use of a consistent term for WTS facilities throughout the Planning Code.
- Strike the erroneous reference to “commercial” preceding WTS facilities as discussed in Planning Code Section 801.2 (References to Articles 1 and 2 [Temporary]).

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

The changing form factors and placement of antennas and equipment, as well as the potential individual and cumulative spatial and other effects of WTS facilities, warrants appropriate updates to the Planning Code to ensure that the community, the Planning Commission, the Historic Preservation Commission, Planning Department staff, and wireless carriers are afforded sufficient opportunities and flexibility to achieve the least-intrusive siting of WTS facilities. Additionally, the proposed changes may have the positive effect of avoiding the challenges associated with both State Laws and “oDAS XL” facilities that are described further below.

The proposed changes are also relevant give the growth in the overall number of wireless facilities and their potential effects within neighborhoods. In the mid-1990s it was estimated that approximately 200

WTS facilities would be required to provide sufficient voice coverage in San Francisco for the various wireless carriers providing personal communications services (“cell phones”). As of 2016, there are approximately 750 Micro/Macro WTS facilities (mostly rooftop-mounted) and nearly 700 Personal Wireless Services Facilities (antennas and equipment on light, transit and utility poles) within the public right-of-way, serving both voice and data services.

The nature of WTS facilities used for Tier 1 PCS providers has also changed over time as the majority of facilities are used to provide not just voice coverage, but also enable mobile data usage. Wireless carriers have added secondary equipment areas near antennas to improve data coverage. Additionally, in some instances primary equipment areas have grown to take up the same size of a shipping container, which can be a concern with respect to avoiding tenant displacement or potential equipment noise. Some wireless carriers have added generators, typically diesel fueled, to some Macro WTS facilities in order to provide additional power in the event of an extended power outage. Lastly, WTS facilities with multiple panel antennas that are between two (2) to four (4) feet tall, are often being replaced with larger panel antennas between five (5) to eight (8) feet tall.

Micro/Macro WTS Facility Challenges

Poorly sited or designed Macro WTS facilities have the potential to create negative effects, such as:

- Impairment to public vistas or historic districts and impairment to views of buildings considered potential or known historic resources including landmark properties that define the City of San Francisco.
- Bothersome noise from cooling fans for equipment cabinets and noise and particulate matter from diesel or natural gas generators.
- Cable trays in front of residential windows within light wells.
- The potential for residential or small business tenant displacement, especially for larger WTS facilities with equipment areas the size of a shipping container.

Due to their small nature, “Micro” WTS facilities generally have less potential to create these challenges. Integrating WTS facilities into the built environment, while avoiding these potential negative effects, and still contending with the preemption and timing challenges found in State and Federal laws, remains a challenge for community members and Planning Department staff. The proposed changes help address this.

Outdoor Distributed Antenna Systems - Large (or “oDAS XL”)

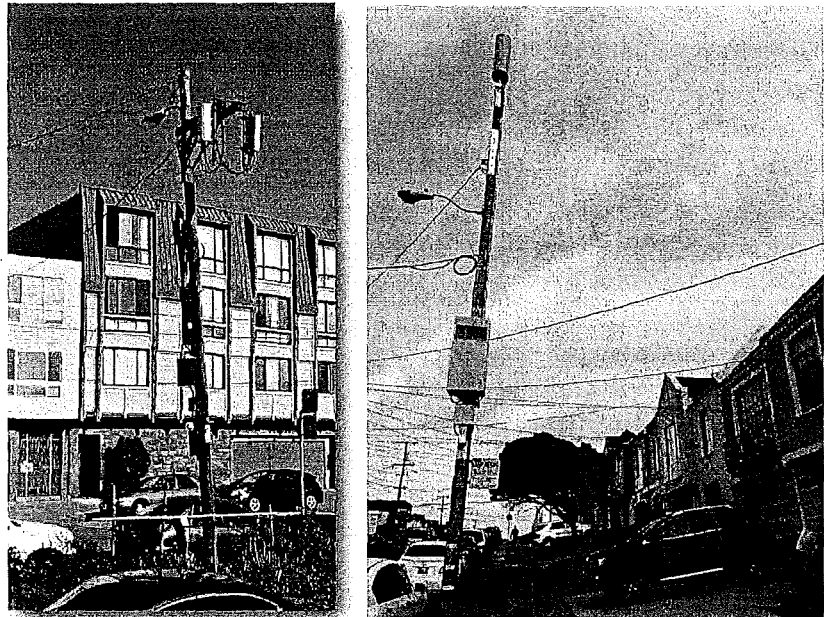
While wireless facilities within the public right-of-way¹¹ are not generally regulated by the Planning Code¹² or WTS Facility Siting Guidelines; certain Planning Code provisions such as current height limit rules for screening elements, and some NCD controls may have the effect of discouraging some rooftop-mounted WTS facilities.

¹¹ Antennas and equipment enclosures on wooden poles owned by utilities.

¹² Personal Wireless Services Facilities also require an Administrative Certificate of Appropriateness (“ACOA”), if located within an Article 10 landmark district.

This may make a larger overall deployment, of potentially bulky and noisy "oDAS XL" facilities on multiple wooden light or utility poles a more "attractive" siting path for wireless carriers.¹³

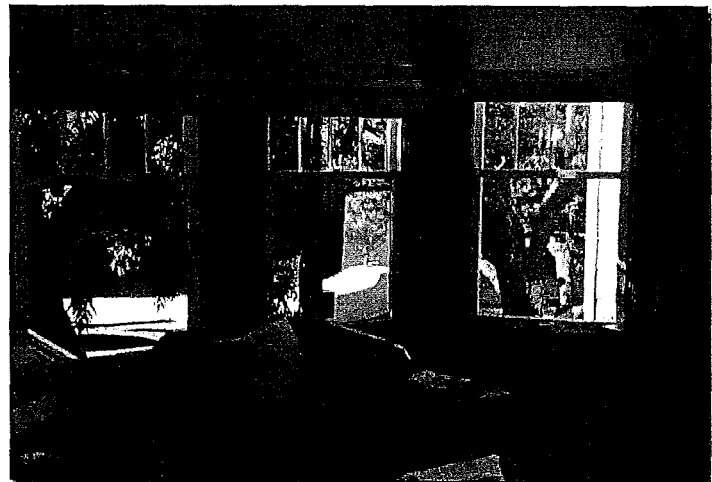
As described earlier, large wireless facilities in the public right-of-way (especially those featuring equipment cabinets the size of refrigerators) tend to be the most intrusive (and generally disfavored) means of providing coverage and capacity given the dense urban nature of the City, where a utility pole, with noise-generating cooling fans, may be located a mere few feet from a residential bay window.



Crown Castle, for Verizon Wireless "oDAS XL" Personal Wireless Services Facilities, in the Outer Sunset. The bulky nature and potential noise generation from cooling fans on residential streets is disfavored.

Wooden light/utility poles are not owned by the City, but are instead owned by various utility providers, including Pacific Gas & Electric. The City's jurisdiction over wireless facilities on wooden poles is even more limited, compared to wireless facilities on either private property (e.g. Micros/Macros on rooftops), or on City-owned (steel/concrete) poles or due to State law.¹⁴

The proposed Ordinance would reduce some challenges associated with siting of WTS facilities on rooftops; especially on existing 5+ story mixed-use buildings in neighborhood commercial districts, due to current height limits for screening. This change could allow for less-intrusive siting, given that a single rooftop-mounted Micro/Macro WTS facility can typically provide sufficient coverage and capacity as a



Equipment cabinet for a Personal Wireless Services Facility in front of a residential bay window. Many of the larger cabinets feature cooling fans that may be bothersome to residents.

¹³ Due to factors such as: lower mounting heights, smaller antennas and equipment, and lower RF emissions output.

¹⁴ California Public Utilities Code 7901 grants certain wireless carriers with a Certificate of Public Convenience and Necessity, the same right to be in the right-of-way as "traditional wireline" telephone corporations (telephone wires strung up between wood poles). However, multiple court decisions such as Sprint versus City of Rancho Palos Verdes, and Crown Castle/T-Mobile/Extenet Systems versus the City and County of San Francisco, have affirmed the ability of a City/County to exercise some time, place and manner review. Though, not in a manner that would allow for a blanket prohibition of wireless facilities in residential zoning districts within the public right-of-way (e.g. antennas and equipment on wooden utility poles).

larger overall number of more-intrusive “oDAS XL” Personal Wireless Services Facilities on multiple wooden poles in a given neighborhood.

Outdoor Distributed Antenna Systems – Small Cells (or “oDAS R”)

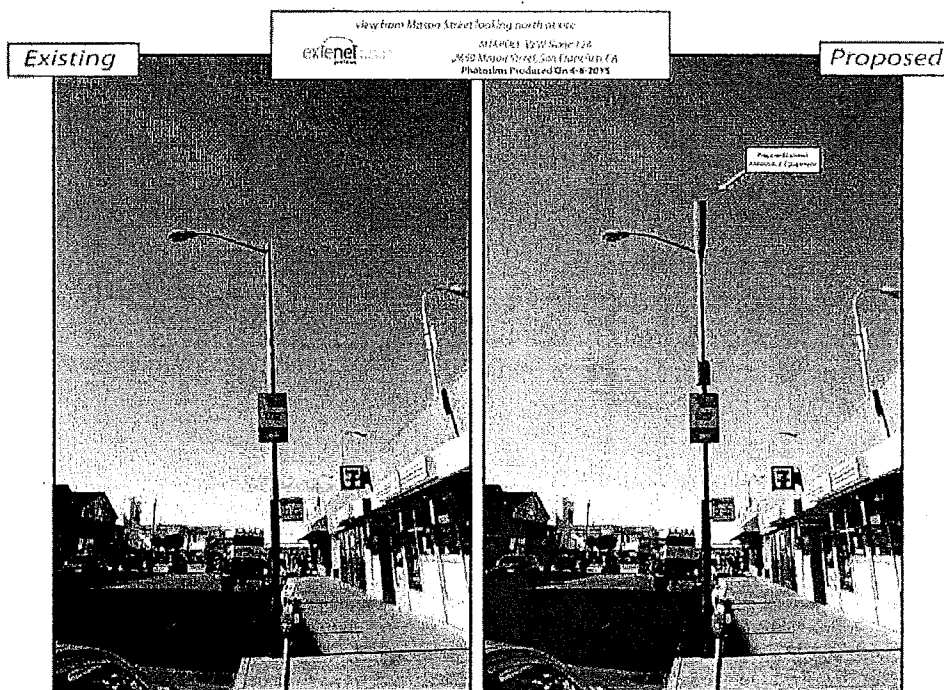
Recently, the two City agencies that own the overwhelming majority of steel poles in the public right-of-way in San Francisco; the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Municipal Transportation Authority (SFMTA or “MUNI”) have begun licensing light and transit (poles holding up overhead electric lines for bus and rail) for wireless facilities.¹⁵

While wireless facilities in the public right of way are generally disfavored, the small (and noiseless) nature of these facilities

(and very low radio-frequency emissions) has generally been considered fairly non-intrusive (assuming an approved design); especially in comparison to some of the bulky, cluttered, and noisy “oDAS XL” wireless facilities typically mounted on wooden light and utility poles.

Overall Wireless Deployment Trends in San Francisco

Wireless technology is a rapid evolving field; though it appears the use of Small Cells (“oDAS R”) on steel poles, when paired with scale and context appropriate Micro and Macro rooftop-mounted WTS facilities, can allow for wireless carriers to provide robust coverage and capacity in a manner that is less-intrusive with respect to neighborhoods in San Francisco.



Extenet Systems, for Verizon Wireless “oDAS R” (or Small Cell) on a steel light pole owned by the City (SF Public Utilities Commission). An antenna is located on top and two computers (equipment) are located midway down the pole. Planning Department staff worked with the Department of Public Works, and the carrier to create a bracket to “screen” one of the computers with road signage.

¹⁵ As of June 2016, approximately 320 “Small Cells” have been constructed on steel light and transit poles in portions of the Mission neighborhood, the South of Market Area (SOMA), and areas both north of Market Street and east of Van Ness Avenue. Transit poles are those poles which hold up overhead electric wires for SFMTA electric buses and rail. Additional “Small Cells” are conceptually proposed on replacement concrete light poles in the Marina.

While not a guarantee of future network characteristics, it has been also observed that as wireless carriers seek to improve data speed and capacity, they are doing so through a densification of their existing networks. This means adding more facilities closer together within the City, with each facility covering a smaller area.

Simply put, the general trend line has been for carriers to install more WTS facilities; commonly utilizing lower power levels to fine tune the radio-frequency emissions where they need the spot coverage and capacity. This approach avoids interfering with other wireless facilities in a given neighborhood by the careful and limited re-use of scarce licensed spectrum.

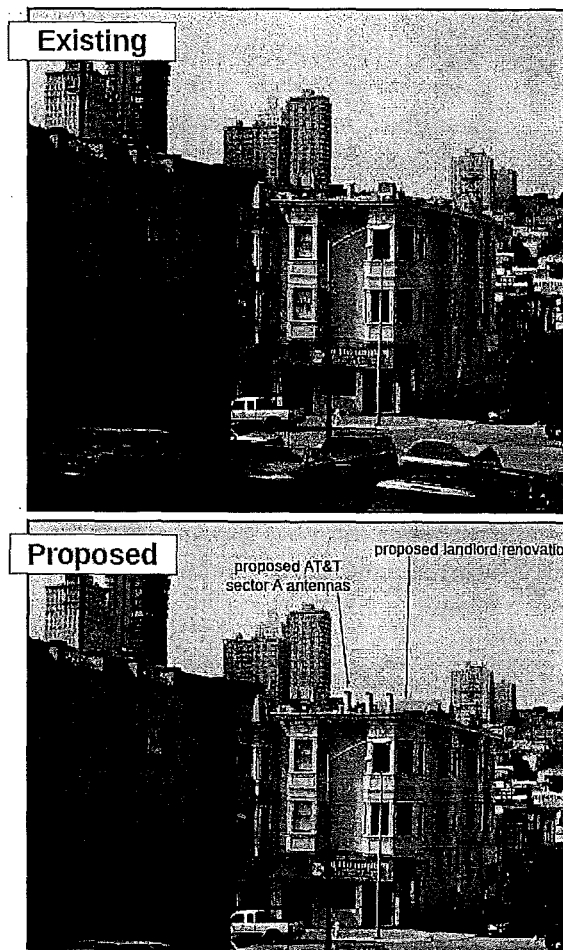
This densification also extends to indoor wireless systems to provide voice and data coverage in many new buildings and commercial, office, and hospitality (hotel) settings. This type of spot coverage is provided through the installation of indoor small cells (also known as indoor distributed antenna systems, or "iDAS"). Typically, an iDAS system will cover just the interior of a particular building.

In fact, many new mid- and high-rise buildings utilize energy efficient glass, also known as low-emissivity, or "low-e" glass, that feature embedded metals and other elements to improve overall building energy efficiency and to reflect the sunshine. But those same windows elements can substantially degrade the ability of cell signals from sites outside the building from penetrating into the building.

While wireless carriers do on occasion still pursue intrusive "oDAS XL" facilities and poorly designed Macro WTS facilities, the City has been able to see more compatible proposals being approved including approximately 45 new Micro/Macro WTS facilities in the last three years, as a result of more robust staff review, earlier feedback on non-viable proposals, and improved outreach with the community. The proposed code amendments will serve to further the City's goals of less intrusive wireless siting.

ENVIRONMENTAL REVIEW

The proposed Ordinance would result in no direct or indirect physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c) and 15378 of the CEQA Guidelines.



Previously approved AT&T Mobility "Macro" WTS Facility in Telegraph Hill. The facility consists of three (3) faux vent pipes (with a total of three [3] antennas) on the roof, and equipment inside the garage. The initial submittal featured nine (9) vent pipes and was not compatible with the subject building or surrounding neighborhood.

HISTORIC PRESERVATION COMMISSION REVIEW

On June 1, 2016, the Historic Preservation Commission unanimously (7-0) adopted a recommendation of approval (Resolution No. 764).

PUBLIC COMMENT

As of the date of this report, the Planning Department has received thirteen (13) inquiries about the proposed ordinance, and presented the proposed ordinance to the members of "Livable City" and "SF Beautiful." Information concerning the proposed amendments was sent, via e-mail on multiple instances to nearly every neighborhood group registered with the Planning Department, along with those persons/groups interested in legislative changes, and representatives of: Parkmerced, Treasure Island Development Authority, the Port of San Francisco, the Office of Community Investment and Infrastructure, Sutro Tower Incorporated, the San Francisco Antenna Free Union, the Coalition of San Francisco Neighborhoods, SF Heritage, and various wireless carriers (*AT&T Mobility, Crown Castle, Extenet Systems, LightSquared/Ligado, Mobilitie, MonkeyBrains, NextNav, T-Mobile, Sprint, Verizon Wireless, Webpass, and WiLine*) operating in the City.

The approximately six (6) comments received from community members and seven (7) comments from wireless carriers were largely supportive of the proposed changes, except as noted below. Community members did note concerns with the poor installation quality of many existing installations by wireless carriers, including incomplete or missing screening and installations not in conformance with approved plans.

Verizon Wireless representatives (see Attachment B) objected to creating definitions for Micro & Macro WTS facilities, the 10-year time limit for new Conditional Use Authorizations, review of temporary WTS facilities by the Zoning Administrator, language noting a WTS facility can be located inside or outside an enclosed building, and requiring neighborhood notification for temporary WTS facilities over 90 days.

AT&T Mobility (see Attachment C) similarly objected to some of the proposed changes including the proposed ten-year time limit for Conditional Use authorizations and also noted concerns as it relates to consistency with the WTS Facility Siting Guidelines and the timing of processing applications.

Planning Department staff would note that no changes are proposed to the WTS Facility Siting Guidelines (or 2003 Supplement); and the proposed Planning Code amendments would actually provide more opportunities to realize the goal of least-intrusive siting, that serves as the intent of the Guidelines. Furthermore, the Zoning Administrator has affirmed that indoor serving antennas (also known as "indoor Small Cells," or "indoor Distributed Antenna Systems," or the acronym, "iDAS") are generally not subject to the same review as WTS facilities.¹⁶

¹⁶ iDAS systems do require limited Planning Department staff review to ensure: 1) any interior antennas or equipment do not impair contributing interior spaces (e.g. lobbies) of buildings deemed as historic resources; 2) any exterior rooftop-mounted "donor" antennas/dishes and conduit or cable trays do not impair the subject building; and 3) equipment areas (computer servers) do not displace tenants.

A number of delays in the review of applications can largely be attributed to (various) wireless carriers failing to submit complete applications; providing plans or simulations and radio-frequency emissions reports that are inconsistent with other submittal documents or replete with errors; proposing designs not consistent with design or historic resource standards; failing to conduct structural analysis at design stage (which may force equipment relocations and new reviews); failing to conduct Section 106 review (historic preservation consultation with State and Federal entities); proposing incompatible equipment areas that may lead to tenant displacement or the loss of usable open space below required minimums; failing to construct facilities in a manner conforming with approvals; or making changes to sites (e.g. adding antennas to an existing WTS facility or developing an entire WTS facility) without required permits.

Furthermore, staff would note the Planning Department has created a dedicated position to review WTS and Personal Wireless Service facility applications. In addition, the Historic Preservation Commission has substantially streamlined¹⁷ the historic preservation review process through the use of ACOAs and MPTAs (instead of automatic public hearings before the Historic Preservation Commission) for WTS and Personal Wireless Services Facilities.

RECOMMENDATION:	Recommendation of Approval
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Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Verizon Wireless Letter
- Exhibit C: AT&T Mobility Letter
- Exhibit D: Historic Preservation Commission Resolution No. 764
- Exhibit E: Board of Supervisors File No. 160477

¹⁷ Historic Preservation Commission Motion No. 0241.



SAN FRANCISCO PLANNING DEPARTMENT

July 12, 2016

Ms. Angela Calvillo, Clerk
Honorable Supervisor Avalos
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2014-001711PCA:
Wireless Telecommunications Services (WTS) Facilities Update
Board File No. 160477
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Avalos,

On June 16, 2016, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance that would amend the Planning Code. At the hearing the Planning Commission recommended approval. On June 1, 2016, the Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance and recommended approval.

The Planning Commission recommended a finding be added to the resolution, to encourage the use of less-intrusive (e.g. noise and exhaust) backup generators, when utilized at WTS facilities.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Aaron D. Starr".

Aaron D. Starr
Manager of Legislative Affairs

cc:
Victoria Wong, Deputy City Attorney
Frances Hsieh, Aide to Supervisor Avalos
Alisa Somera, Office of the Clerk of the Board

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BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

May 11, 2016

File No. 160477

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

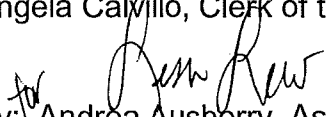
On May 3, 2016, Supervisor Avalos introduced the following proposed legislation:

File No. 160477

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board


By: Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

Attachment

- c: Joy Navarrete, Environmental Planning
- Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

May 11, 2016

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

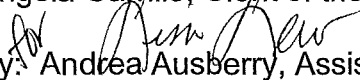
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The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By:  Andrea Ausberry, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

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MEMORANDUM

TO: Harlan Kelly, Jr., General Manager, Public Utilities Commission

FROM: Andrea Ausberry, Assistant Clerk *llfor*
Land Use and Transportation Committee

DATE: May 11, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Avalos on May 3, 2016:

File No. 160477

Ordinance amending the Planning Code to 1) define Wireless Telecommunications Services (WTS) Facilities; 2) create distinct WTS Facility land use controls and, among other things, require a conditional use authorization (CU) for Macro WTS Facilities in most Article 2, 7, and 8 Districts; 3) regulate Micro WTS Facilities in all Districts; 4) require that a WTS Facility's CU shall expire after ten years; 5) regulate WTS Facilities in certain Mission Bay Districts and P Districts; 6) exempt certain telecommunications equipment accessory uses from height limitations; 7) allow screening elements for WTS Facilities to exceed height limits, consistent with existing height limit exemptions for antennas; 8) define and regulate Temporary WTS Facilities; 9) allow the Historic Preservation Commission to delegate determinations on applications for Administrative Certificates of Appropriateness and Minor Permits to Alter to Planning Department staff; and affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: andrea.ausberry@sfgov.org.

c: Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

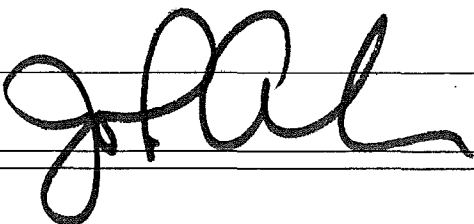
Supervisor John Avalos

Subject:

Ordinance - Planning Code - Wireless Telecommunications Services Facilities

The text is listed below or attached:

[Empty box for text listing]

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: