

File No. 250886

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: November 3, 2025

Board of Supervisors Meeting:

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☐ | Resolution |
| ☒ | ☐ | Ordinance |
| ☒ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☐ | Introduction Form |
| ☐ | ☐ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract / DRAFT Mills Act Agreement |
| ☐ | ☐ | Form 126 – Ethics Commission |
| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | <u>PC Transmittal – October 28, 2025</u> |
| ☒ | ☐ | <u>CEQA Determination – September 29, 2025</u> |
| ☒ | ☐ | <u>Mayor's Intro Memo – September 2, 2025</u> |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |

Prepared by: John Carroll

Date: October 31, 2025

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

[Planning Code - Adaptive Reuse of Historic Buildings]

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

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

Supervisors in File No. 250886 and is incorporated herein by reference. The Board affirms this determination.

(b) On October 23, 2025, the Planning Commission, in Resolution No. 21853, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 250886 and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code amendment will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 21853, and the Board incorporates such reasons herein by reference.

Section 2. Articles 1.2, 1.7, 2, 3, 7, and 8 of the Planning Code are hereby amended by adding Sections 202.11 and 205.8; revising Sections 136.1, 209.1, 209.2, 209.3, 209.4, 210.1, 210.2, 722, 757, 758, 803.3, 803.9, 825, and 830 through 840; and deleting Sections 186.3, 310, and 703.9, to read as follows:

SEC. 136.1. AWNINGS, CANOPIES AND MARQUEES.

In addition to the limitations of Section 136, especially ~~Paragraph~~ subsection 136(c)(12), the following provisions shall apply to all Districts.

In Residential and Residential Enclave Districts, awnings are permitted only for Limited Commercial Uses, as described in Section 186 of this Code, for Limited Commercial Uses permitted in ~~landmark~~ Historic ~~Buildings~~ by Section ~~186.3~~ 202.11, and for Limited Corner Commercial Uses as described in Section 231 of this Code. Canopies and marquees are not permitted.

1 The addition or alteration of awnings, canopies, or marquees on a landmark site or in a
2 historic district shall require a certificate of appropriateness in accordance with Section 1006,
3 et seq. of this Code. Signage on awnings, canopies, and marquees may be further regulated
4 by Article 6 of this Code.

5 * * * *

6
7 **~~SEC. 186.3. NON-RESIDENTIAL USES IN LANDMARK BUILDINGS IN RH, RM, RTO,~~**
8 **~~AND RTO-M DISTRICTS.~~**

9 ~~Any use listed as a Principal or Conditional Use permitted on the ground floor in an NC-1~~
10 ~~District, when located in a structure on a landmark site designated pursuant to Article 10 of this Code,~~
11 ~~is permitted with Conditional Use authorization pursuant to Section 303 of this Code, provided that no~~
12 ~~Conditional Use shall be authorized under this provision unless (1) such authorization conforms to the~~
13 ~~applicable provisions of Section 303 of this Code, and (2) the specific use so authorized is essential to~~
14 ~~the feasibility of retaining and preserving the landmark.~~

15
16 **SEC. 202.11. PERMITTED USES IN HISTORIC BUILDINGS.**

17 (a) **Purpose.** The following controls are intended to support and encourage the preservation of
18 buildings of historic importance and support neighborhood vitality, by allowing more flexible uses of
19 Historic Buildings and therefore improving the economic feasibility of their adaptive reuse.

20 (b) **Applicability.** This Section 202.11 applies only to Historic Buildings as defined in Section
21 102. Nothing in this Section 202.11 affects review by the Historic Preservation Commission to the
22 extent required by Articles 10 or 11 of this Code or Charter Section 4.135.

23 (c) **Planning Approval.** This Section 202.11 applies only to projects that meet all of the criteria
24 set forth in this subsection (c).

1 (1) For Uses that are not permitted or are conditionally permitted in the District in
2 which they are located, prior to the issuance of any necessary permits, the project must obtain a
3 Planning Director determination that allowing the Use will enhance the feasibility of adaptive reuse of
4 the Historic Building.

5 (2) The project must obtain a Planning Department determination that the project
6 complies with the Secretary of the Interior's Standards (36 C.F.R. § 67.7 (2001)), and any applicable
7 provisions of the Planning Code.

8 (3) Any Residential Uses in the project shall comply with the Residential Inclusionary
9 Affordable Housing Program set forth in Sections 415 et seq., 415A et seq., and 415B et seq., as
10 applicable.

11 (4) Projects in Neighborhood Commercial Districts and Neighborhood Commercial
12 Transit Districts shall comply with Non-Residential Use Size limits pursuant to Section 121.2. In all
13 other districts, no Non-Residential Use Size limits shall apply.

14 (5) Temporary Uses may be authorized by the Planning Director pursuant to Section
15 205.8.

16 (6) All applicable conditions shall continue to apply, including but not limited to the
17 location and operating conditions set forth in Section 202.2.

18 **(d) Uses Permitted in Historic Buildings to Facilitate Preservation and Adaptive Reuse.**
19 Notwithstanding the zoning controls otherwise applicable in the District where the project is located,
20 and subject to subsections (b) and (c) of this Section 202.11, Uses in Historic Buildings shall be
21 permitted as follows:

22 (1) **Residential Districts.** In RH, RM, and RTO Districts, when located in a Historic
23 Building, any Use that is not permitted in the District and is listed as a Principal or Conditional Use on
24 the ground floor in the NC-1 District (for properties other than Historic Buildings), is permitted with
25 Conditional Use authorization pursuant to Section 303.

1 (2) Eastern Neighborhoods Mixed Use Districts and Downtown Residential Districts:

2 (A) CMUO, MUG, MUO, MUR, SALI, SPD, UMU, WMUG, and WMUO

3 Districts and DTR Districts. All Uses shall be Principally Permitted in Historic Buildings, except
4 Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall
5 be Principally Permitted.

6 (B) RED and RED-MX Districts. Uses are permitted in Historic Buildings as
7 follows:

8 (i) Principally Permitted Uses. Arts Activities, Community Facility,
9 Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and
10 Trade School Uses are Principally Permitted.

11 (ii) Conditionally Permitted Uses. Retail Sales and Services Uses and
12 Office Uses are Conditionally Permitted pursuant to Planning Code Section 303, except that the zoning
13 controls for Adult Business and Adult Sex Venue Uses as set forth in the controls for the District shall
14 continue to apply.

15 (3) Neighborhood Commercial Districts. Any Use that is Conditionally Permitted in the
16 Neighborhood Commercial District in which the property is located shall be Principally Permitted in a
17 Historic Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and
18 Light Manufacturing shall be Principally Permitted. Any Use that is not permitted in the Neighborhood
19 Commercial District in which a property is located shall be Conditionally Permitted in a Historic
20 Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light
21 Manufacturing shall be Conditionally Permitted.

22 (4) Commercial and Residential-Commercial Districts. In C-2, C-3, and RC Districts,
23 all Uses shall be Principally Permitted in Historic Buildings, except Industrial Uses; provided that
24 Agricultural and Beverage Processing 1 and Light Manufacturing shall be Principally Permitted.

25 (5) All other Districts. In any District not specifically listed in subsections (d)(1)-(4):

1 (A) **Principally Permitted Uses.** Any Use that is Conditionally Permitted in the
2 District in which the property is located shall be Principally Permitted in a Historic Building, except
3 Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall
4 be Principally Permitted.

5 (B) **Conditionally Permitted Uses.** Any Use that is not permitted in the District
6 in which a property is located shall be Conditionally Permitted in a Historic Building, except Industrial
7 Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall be
8 Conditionally Permitted.

9
10 **SEC. 205.8. TEMPORARY USES: HISTORIC BUILDINGS**

11 (a) Temporary Uses may be authorized by the Planning Director for Historic Buildings in
12 accordance with Section 202.11 and this Section 205.8.

13 (b) **Initial Period.** The Planning Director may authorize any Retail Sales and Service or
14 Entertainment, Arts and Recreation Use as a temporary use under Section 205 et seq., within any
15 vacant Non-Residential space in a Historic Building. Such temporary use shall be limited to an initial
16 term of six years.

17 (c) **Extension.** Upon the Planning Director's written determination that permits for the
18 Historic Building are being and have been diligently pursued, and that the temporary use has been
19 consistent with public convenience, necessity, or the general welfare of the City, the Planning Director
20 is authorized to permit the temporary use to exceed the Initial Period for an additional period of up to
21 six years. This extension shall require a separate determination of the Planning Director, and the
22 authorization of the temporary use may not exceed a total duration of 12 years.

23
24 **SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

25 * * * *

Table 209.1

ZONING CONTROL TABLE FOR RH DISTRICTS

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
RESIDENTIAL STANDARDS AND USES						
* * * *						
Residential Uses						
* * * *						
Residential Density, Group Housing	§ 208	NP (3) (10)	NP (3) (10)	NP (3) (10)	P, up to one bedroom for every 415 square feet of lot area.	P, up to one bedroom for every 275 square feet of lot area.
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
Development Standards						
* * * *						
Limited Commercial Uses	§§ 186, 186.3	Continuing nonconforming uses are permitted, subject to the requirements of § 186. <i>Limited Commercial Uses may be conditionally permitted in historic buildings subject to § 186.3.</i>				
* * * *						
<u>Non-Residential Uses</u>						
<u>Uses in Historic Buildings</u>						

<u>Historic Buildings</u>	§§ <u>202.11;</u> <u>710</u>	<u>In Historic Buildings, any Use listed as NP below is C, if it is C or P on the ground floor in the NC-1 District.</u>
Agricultural Use Category		
* * * *		

* * * *

(3) ~~{Note Deleted}~~ C pursuant to Sections 202.11 and 710.

* * * *

SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.

* * * *

Table 209.2

ZONING CONTROL TABLE FOR RM DISTRICTS

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
Development Standards					
* * * *					
Limited Commercial Uses	§§ 186, 186.3	Continuing nonconforming uses are permitted, subject to the requirements of § 186. Limited Commercial Uses may be conditionally permitted in historic buildings subject to § 186.3.			
* * * *					

Non-Residential Uses

Uses in Historic Buildings

Historic Buildings

§§ 202.11;

710

In Historic Buildings, any Use listed as NP below is C, if it is
C or P on the ground floor in the NC-1 District.

Agricultural Use Category

* * * *

* * * *

SEC. 209.3. RC (RESIDENTIAL-COMMERCIAL) DISTRICTS.

* * * *

Table 209.3

ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS

Zoning Category	§ References	RC-3	RC-4
* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
<u>Non-Residential Uses</u>			
<u>Uses in Historic Buildings</u>			
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P except certain Industrial Uses as specified in § 202.11.</u>	
Agricultural Use Category			
* * * *			

* * * *

1 **SEC. 209.4. RTO (RESIDENTIAL TRANSIT ORIENTED) DISTRICTS.**

2 * * * *

3 **Table 209.4**

4 **ZONING CONTROL TABLE FOR RTO DISTRICTS**

Zoning Category	§ References	RTO	RTO-M
* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
<u>Non-Residential Uses</u>			
<u>Uses in Historic Buildings</u>			
<u>Historic Buildings</u>	<u>§§ 202.11;</u> <u>710</u>	<u>In Historic Buildings, any Use listed as NP below is C, if it is</u> <u>C or P on the ground floor in the NC-1 District.</u>	
Agricultural Use Category			
* * * *			

15 * * * *

16
17 **SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.**

18 * * * *

19 **Table 210.1**

20 **ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		

<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
* * * *		

* * * *

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

* * * *

Table 210.2

ZONING CONTROL TABLE FOR C-3 DISTRICTS

Zoning Category	§ References	C-3-O	C-3-O(SD)	C-3-R	C-3-G	C-3-S
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
* * * *						
<u>Non-Residential Uses</u>						
<u>Uses in Historic Buildings</u>						
<u>Historic Buildings</u>	<u>§§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>				
Agricultural Use Category						
* * * *						

* * * *

1 **~~SEC. 310. ZONING PROCEDURES NOT TO APPLY TO ARTICLE 10.~~**

2 ~~Notwithstanding any other provision of this Code, the procedures set forth in this Article 3~~
3 ~~(Sections 301 through 309 of this Code) shall not apply to Article 10, Preservation of Historical,~~
4 ~~Architectural and Aesthetic Landmarks; the procedures applicable to Article 10 are included therein.~~

6 **~~SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM~~**
7 **~~STREET NCT AND RCD DISTRICTS.~~**

8 ~~—The following controls are intended to support the economic viability of buildings of historic~~
9 ~~importance within the Folsom NCT and RCD Districts.~~

10 ~~—(a) **Applicability.** This Section 703.9 applies only to buildings that are a designated~~
11 ~~landmark building per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant~~
12 ~~to Article 11 of this Code and located within the Extended Preservation District, or a building listed in~~
13 ~~or determined individually eligible for or contributory to a district listed on the National Register of~~
14 ~~Historic Places or the California Register of Historical Resources by the State Office of Historic~~
15 ~~Preservation.~~

16 ~~—(b) **Permitted uses.** Non-Retail Professional Service, Retail Professional Service, Community~~
17 ~~Facility, Private Community Facility, Social Service and Philanthropic Facility, Financial Service,~~
18 ~~Gym, Limited Financial Service, Health Service, Personal Service, and Instructional Service uses as~~
19 ~~defined in Section 102, are Principally Permitted. In the RCD District only, in addition to the above~~
20 ~~uses, Nighttime Entertainment uses as defined in Section 102 require Conditional Use authorization on~~
21 ~~the third floor and above, except that Nighttime Entertainment uses are Principally Permitted in Article~~
22 ~~10 Landmark Building No. 120 (St. Joseph's Church at 1401 Howard Street). For all uses listed above,~~
23 ~~prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of the~~
24 ~~Historic Preservation Commission, shall determine that allowing the use will enhance the feasibility of~~
25 ~~preserving the building. The project sponsor must also submit a Preservation, Rehabilitation, and~~

~~Maintenance Plan that describes any proposed preservation and rehabilitation work and that guarantees the maintenance and upkeep of the historic resource for approval by the Department. This Plan shall include:~~

~~—(i) a plan for the ongoing maintenance of the subject property;~~
~~—(ii) information regarding the nature and cost of any rehabilitation, restoration, or preservation work to be conducted at the subject property, including information about any required seismic, life safety, or disability access work;~~

~~—(iii) a construction schedule; and~~
~~—(iv) such other information as the Department may require in order to determine compliance with this subsection 703.9(b).~~

~~—(e) **Project Review.** The Historic Preservation Commission shall review the proposed project for compliance with the Secretary of the Interior's Standards (36 C.F.R. § 67.7 (2001)) and any applicable provisions of the Planning Code.~~

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd +
Residential Uses	§ 102	NP(3)(11)	P	P
* * * *				

NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(3) ~~[Note deleted.]~~ C in Historic Buildings pursuant to Section 202.11.

* * * *

SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

* * * *

Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd +
Residential Uses (except for Group	§ 102	P	P	P

Housing, see below)				
Group Housing	§§ 102, 208	C(1)(7)	C	C
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(1) NP on 1st floor on lots with more than 25 feet of street frontage.

* * * *

(7) ~~[Note deleted.]~~ P in Historic Buildings pursuant to Section 202.11.

* * * *

SEC. 758. REGIONAL COMMERCIAL DISTRICT.

* * * *

Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		

* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd +
Residential Uses (except for Group Housing, see below)	§ 102	P	P	P
* * * *				
Group Housing	§§ 102, 208	C(1)(7)	C	C
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(1) NP on 1st floor on lots with more than 25 feet of street frontage.

* * * *

(7) ~~[Note deleted.]~~ P in Historic Buildings pursuant to Section 202.11.

* * * *

1
2 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**
3 **DISTRICTS.**

4 * * * *

5 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts are either
6 Principally Permitted, Conditional, Accessory, temporary, or are not permitted. The Uses and
7 Use Characteristics that are Principally Permitted, Conditionally Permitted, or not permitted
8 are detailed in the Zoning Control Tables for each zoning district.

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

12 * * * *

13 (D) **Temporary Uses.** Temporary uses not otherwise permitted are
14 permitted in Eastern Neighborhoods Mixed Use Districts to the extent authorized by Sections
15 202.11 and 205 through 205.58 of this Code.

16 * * * *

17
18 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

19 (a) **Housing Requirement in the Mixed Use-Residential (MUR) District.** In new
20 construction in the MUR District, three square feet of Gross Floor Area for Residential Use is
21 required for every one gross square foot of permitted Non-Residential Use.

22 ~~—(b) **Preservation of Historic Buildings within Certain Mixed Use Districts.** The following~~
23 ~~controls are intended to support the economic viability of buildings of historic importance within~~
24 ~~certain Mixed Use Districts.~~

1 ~~—(1) **CMUO, MUG, MUR, MUO, and SPD Districts.** This subsection (b)(1) applies only to~~
2 ~~buildings in CMUO, MUG, MUO, MUR, or SPD Districts that are designated landmark buildings or~~
3 ~~contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code,~~
4 ~~or buildings listed on or determined eligible for the California Register of Historical Resources by the~~
5 ~~State Office of Historic Preservation.~~

6 ~~—(A) All uses are principally permitted, provided that:~~

7 ~~—(i) The project does not contain any Nighttime Entertainment use.~~

8 ~~—(ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
9 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
10 ~~feasibility of preserving the building.~~

11 ~~—(iii) Residential uses meet the affordability requirements of the Residential~~
12 ~~Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.~~

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

16 ~~—(2) **RED and RED-MX Districts.** This subsection (b)(2) applies only to buildings in RED~~
17 ~~and RED-MX Districts that are a designated landmark building per Article 10 of the Planning Code,~~
18 ~~buildings designated as Category I-IV pursuant to Article 11 of this Code and located within the~~
19 ~~Extended Preservation District, or a building listed in or determined individually eligible for the~~
20 ~~National Register of Historic Places or the California Register of Historical Resources by the State~~
21 ~~Office of Historic Preservation.~~

22 ~~—(A) Arts Activities, Community Facility, Private Community Facility, Public Facility,~~
23 ~~School, Social Service or Philanthropic Facility, and Trade School uses are principally permitted, and~~
24 ~~Retail Sales and Services uses and Office Uses as defined in Section 102, are permitted only with~~
25 ~~Conditional Use authorization, pursuant to Planning Code Section 303, provided that:~~

1 ~~—— (i) The project does not contain any Adult Business or Nighttime Entertainment use.~~

2 ~~—— (ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
3 ~~advice of the Historic Preservation Com- mission, determines that allowing the use will enhance the~~
4 ~~feasibility of preserving the building.~~

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

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

13 ~~—— (A) Office uses, as defined in Planning Code Section 102, are principally permitted,~~
14 ~~provided that:~~

15 ~~—— (i) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
16 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
17 ~~feasibility of preserving the building.~~

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

21 ~~—— (4) **RH-DTR Districts.** This subsection (b)(4) applies only to buildings in RHDTR Districts~~
22 ~~that are designated landmark buildings or contributory buildings within a designated historic district~~
23 ~~pursuant to Article 10 of the Planning Code, or buildings listed on or determined eligible for the~~
24 ~~California Register of Historical Resources by the State Office of Historic Preservation.~~

1 ~~—— (A) All uses are principally permitted, provided that prior to the issuance of any~~
2 ~~necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission,~~
3 ~~determines that allowing the use will enhance the feasibility of preserving the building.~~

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

7 ~~—— (c) **Preservation of Historic Buildings within and UMU Districts.** The following rules are~~
8 ~~intended to support the economic viability of buildings of historic importance within the UMU District.~~

9 ~~—— (1) This subsection applies only to buildings that are a designated landmark building, or a~~
10 ~~building listed on or determined eligible for the California Register of Historical Resources by the State~~
11 ~~Office of Historic Preservation.~~

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

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

14 ~~—— (B) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
15 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
16 ~~feasibility of preserving the building.~~

17 ~~—— (C) Residential uses meet the affordability requirements of the Residential Inclusionary~~
18 ~~Affordable Housing Program set forth in Section 415 et seq.~~

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

22 **(bd) Legal and Government Office Uses in the Vicinity of the Hall of Justice.**

23 Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of
24 Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the
25 Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and

1 other criminal justice activities and services directly related to the criminal justice functions of
2 the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special
3 Restriction placed on the property limiting office activities to uses permitted by this subsection
4 (b).

5 (c) **Vertical Controls for Office Uses.**

6 (1) **Purpose.** In order to preserve ground floor space for production, distribution,
7 and repair uses and to allow the preservation and enhancement of a diverse mix of land uses,
8 including limited amounts of office space on upper stories, additional vertical zoning controls
9 shall govern Office Uses as set forth in this subsection ~~803.9~~(c).

10 (2) **Applicability.** This subsection ~~803.9~~(c) shall apply to all Office Uses in the
11 MUG and UMU Districts and all office uses in buildings in the PDR-1-D and PDR-1-G Districts
12 that are designated as landmarks pursuant to Article 10 of the Planning Code, where
13 permitted.

14 (3) **Controls.**

15 * * * *

16 (B) **Designated Office Story or Stories.** Office Uses are not permitted on the
17 ground floor, except as specified in Section ~~840~~ 839 for MUG Districts and Section ~~843~~ 838 for
18 UMU Districts. Office Uses may be permitted on stories above the ground floor if they are
19 designated as office stories. On any designated office story, Office Uses are permitted,
20 subject to any applicable use size limitations. On any story not designated as an office story,
21 Office Uses are not permitted. When an Office Use is permitted on the ground floor per
22 Sections ~~840 and 843~~ 838 and 839, it shall not be considered a designated office story for the
23 purposes of subsection ~~803.9(e)(4)(c)(3)~~(c)(3)(E) below.

24 * * * *

(E) **Maximum Number of Designated Stories.** The maximum number of designated office stories shall correspond to the total number of stories in a given building, as set forth in the table below. The designation of a particular story shall apply to the total floor area of that story and no partial designation, split designation, or other such subdivision of designated floors shall be permitted. For the purposes of the following table, the total number of stories in a given building shall be counted from grade level at curb and shall exclude any basements or below-grade stories.

Table 803.9(*ec*)

* * * *

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

SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.

* * * *

(c) **Use.** ~~A use is the specified purpose for which a property or building is used, occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted, conditional, accessory, temporary or are not permitted.~~ If there are two or more Uses in a structure, any Use not classified in Section 825(c)(1)(C) below as accessory will be considered separately as an independent permitted, conditional, temporary or not permitted Use.

(1) Permitted Uses.

(A) **Principal Uses.** All Uses are permitted as Principal Uses as of right in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not Permitted in this Section 825 ~~of this Code~~ or any other Section governing an individual DTR District; provided that additional Uses may be Principally Permitted pursuant to Section 202.11. Additional requirements and conditions may be placed on particular Uses as provided pursuant to Section 803.5 and other applicable provisions of this Code.

* * * *

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

* * * *

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

* * * *

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

* * * *

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

* * * *

MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
Private Parking Garage	§ 102	C(H)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C(H)
Public Parking Lot	§ 102	NP
Service, Motor Vehicle Tow	§ 102	C(H)
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C(H)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§§ 102, 181(f), 803.9(b)	NP(H)(4)
Arts Activities	§ 102	P
Entertainment, General	§ 102	NP(8)
Movie Theater	§ 102	P up to three screens.

1	Open Recreation Area	§ 102	P
2	Industrial Use Category		
3	Industrial Uses*	§ 102	NP (+)
4	Light Manufacturing	§ 102	P
5	Institutional Use Category		
6	Institutional Uses*	§§ 102, 202.2(e), 803.9(b)	P
7	Hospital	§ 102	NP (+)
8	Medical Cannabis Dispensary	§§ 102, 202.2(e)	P(4)
9	Post-Secondary Educational Institution	§ 102	C (+)
10	Sales and Service Category		
11	Retail Sales and Service Uses*	§ § 102	P(5)
12	Adult Business	§ 102	NP (+)
13	Adult Sex Venue	§§ 102, 249.78	P(5)(7)
14	Bar	§ § 102, 202.2(a), 803.9(b)	C (+) (5)
15	Cannabis Retail	§ § 102, 202.2(a), 803.9(b)	C (+) (5)
16	Hotel	§ 102	C (+)
17	Kennel	§ 102	NP (+)
18	Liquor Store	§ § 102, 202.2(a)	C (+) (5)
19	Massage Establishment	§ 102	P on 1st floor, C on 2nd floor, and NP on 3rd floor and above (6)
20	Mortuary	§ 102	NP (+)
21	Self Storage	§ 102	NP (+)
22	Non-Retail Sales and Service*	§ 102	P
23	Life Science	§ 102	NP (+)
24	Utility and Infrastructure Use Category		
25	Utility and Infrastructure uses*	§ 102	NP (+)
	Public Transportation Facility	§ 102	P

Wireless Telecommunications Services Facility	§ 102	C(3)
---	-------	------

* * * *

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

* * * *

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

* * * *

Zoning Category	§ References	Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(1)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise NP.
Motor Vehicle Tow Service	§ 102	C(1)
Private Parking Garage	§ 102	C(1)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C(1)
Public Parking Lot	§ 102	NP

1	Service, Parcel Delivery	§§ 102, 303(cc)	C
2	Vehicle Storage Garage	§ 102	C (+)
3	Vehicle Storage Lot	§ 102	NP
4	Entertainment, Arts and Recreation Use Category		
5	Entertainment, Arts and Recreation Uses*	§ 102; § 303.9(b)	P
7	Entertainment, Nighttime	§ 102	C
8	Livery Stables	§ 102	NP (+)
9	Movie Theater	§ 102	P up to three screens
10	Sports Stadium	§ 102	NP (+)
11	Industrial Use Category		
12	Industrial Uses	§ 102	NP (+)
13	Light Manufacturing	§ 102	P
14	Institutional Use Category		
15	Institutional Uses	§§ 202.2(e); § 303.9(b)	P
16	Sales and Service Category		
17	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(4) (6)
18	Adult Business	§ 102	NP (+)
19	Adult Sex Venue	§ 102	C (+)
20	Hotel	§ 102	C(5) (+)
21	Massage Establishment	§ 102	NP (+)
22	Mortuary	§ 102	NP (+)
23	Self Storage	§ 102	NP (+)
24	Non-Retail Sales and Service	§ 102	P
25	Utility and Infrastructure Use Category		

Utility and Infrastructure uses*	§ 102	NP(+)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(+)(2)

* * * *

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

* * * *

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

* * * *

Zoning Category	§ References	Mixed Use-Residential District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(+)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
Motor Vehicle Tow Service	§ 102	C(+)

1	Private Parking Garage	§ 102	C (+)
2	Private Parking Lot	§ 102	NP (+)
3	Public Parking Garage	§ 102	C (+)
4	Public Parking Lot	§ 102	NP
5	Service, Parcel Delivery	§§ 102, 303(cc)	C
6	Vehicle Storage Garage	§ 102	C (+)
7	Vehicle Storage Lot	§ 102	NP
8	Entertainment, Arts and Recreation Use Category		
9	Entertainment, Arts and Recreation Uses*	§§ 102, 181(f), 249.78, 803.9(b)	NP (+) (3)
11	Arts Activities	§ 102	P
12	Entertainment, General	§ 102	NP(7) (8)
13	Entertainment, Nighttime	§§ 102, 181(f)	NP(8)
14	Movie Theater	§ 102	P up to three screens.
15	Open Recreation Area	§ 102	P
16	Industrial Use Category		
17	Industrial Uses	§ 102	NP (+)
18	Manufacturing, Light	§ 102	P
19	Institutional Use Category		
20	Institutional Uses*	§§ 202.2(e), 803.9(b)	P
21	Hospital	§ 102	NP (+)
22	Medical Cannabis Dispensary	§ 202.2(e)	P(3)
23	Post-Secondary Educational Institution	§ 102	C (+)
24	Sales and Service Category		
25			

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

* * * *

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

* * * *

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

* * * *

SEC. 834. RED – RESIDENTIAL ENCLAVE DISTRICT.

* * * *

Zoning Category	§ References	Residential Enclave District Controls
-----------------	--------------	---------------------------------------

1	* * * *		
2	NON-RESIDENTIAL STANDARDS AND USES		
3	* * * *		
4	<u>Non-Residential Uses</u>		
5	<u>Uses in Historic Buildings</u>		
6	<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
7	Agricultural Use Category		
8	Agricultural Uses*	§§ 102, 202.2(c)	NP
9	Agriculture, Neighborhood	§§ 102, 202.2(c)	P
10	Automotive Use Category		
11	Automotive Uses	§ 102	NP
12	Entertainment, Arts and Recreation Use Category		
13	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	NP
14	Arts Activities, except Theater	§§ 102, 803.9(b)	C(I)
15	Open Recreation Area	§ 102	P
16	Industrial Use Category		
17	Industrial Uses	§ 102	NP
18	Institutional Use Category		
19	Institutional Uses*	§§ 102, 202.2(e)	NP
20	Child Care Facility	§ 102	P
21	Community Facility	§ 102, 803.9(b)	NP(I)
22	Community Facility, Private	§ 102, 803.9(b)	NP(I)
23	Public Facility	§§ 102, 803.9(b)	C(I)
24	Residential Care Facility	§ 102	P
25			

School	§§ 102, 803.9(b)	NP(1)
Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2); 803.9(b)	NP(1)
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a); 803.9(b)	NP(2)
Service, Personal	§ 102	NP(3)
Trade Shop	§ 102	NP(3)
Non-Retail Sales and Service*	§ 102	NP(1)
Catering	§ 102	NP(3)
Design Professional	§ 102	NP(3)
Office Uses	§ 102;	NP(2)
Trade Office	§ 102	NP(3)
Storage, Wholesale	§ 102	NP(3)
Wholesale Sales	§ 102	NP(3)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Wireless Telecommunications Services Facility	§ 102	NP(4)

* Not listed below

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

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

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

* * * *

Zoning Category	§ References	Residential Enclave-Mixed District Controls
* * * *		

RESIDENTIAL STANDARDS AND USES

* * * *

Residential Conversion	§ 317	NP (3)
------------------------	-------	-------------------

* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

Non-Residential Uses

Uses in Historic Buildings

<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
---------------------------	-----------------	--

Agricultural Use Category

Agricultural Uses	§§ 102, 202.2(c)	P
--------------------------	------------------	---

Automotive Use Category

Automotive Uses*	§ 102	NP
-------------------------	-------	----

Automotive Repair	§ 102	P(3)
-------------------	-------	------

Private Parking Garage	§ 102	C
------------------------	-------	---

Vehicle Storage Lot	§ 102	C
---------------------	-------	---

Vehicle Storage Garage	§ 102	C
------------------------	-------	---

Entertainment, Arts and Recreation Use Category

Entertainment, Arts and Recreation Uses*	§ 102, § 103.9(b)	NP
---	------------------------------	----

Arts Activities	§ 102	P(3)
-----------------	-------	------

Open Recreation Area	§ 102	P
----------------------	-------	---

Industrial Use Category

Industrial Uses*	§ 102	NP
-------------------------	-------	----

Light Manufacturing	§ 102	P(3)
---------------------	-------	------

Institutional Use Category

Institutional Uses*	§§ 102, 202.2(e), 803.9(b)	P
Hospital	§ 102	NP
Medical Cannabis Dispensary	§ 102	NP
Post-Secondary Educational Institution	§ 102	C
School	§ 102	C
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(3)
Adult Business	§ 102	NP
Bar	§ 102	NP
Hotel	§ 102	NP
Massage Establishment	§ 102	NP
Mortuary	§ 102	NP
Self Storage	§ 102	NP
Service, Financial	§ 102	NP
Service, Fringe Financial	§ 102	NP
Non-Retail Sales and Service*	§ 102	P(3)
Laboratory	§ 102	NP
Life Science	§ 102	NP
Office Uses	§ 102	NP
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Public Transportation Facility	§ 102	C
Wireless Telecommunications Services Facility	§ 102	C(1)

* * * *

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

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

* * * *

Zoning Category	§ References	Service/Arts/Light Industrial District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(6)
Automobile Sale or Rental	§ 102	P(5)
Private Parking Garage	§ 102	C
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		

1	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P
2	Movie Theater	§ 102	P up to three screens.
3	Outdoor Entertainment	§ 102	NP
4	Sports Stadium	§ 102	NP
5	Industrial Use Category		
6	Industrial Uses	§ 102	NP
7	Light Manufacturing	§ 102	P
8	Institutional Use Category		
9	Institutional Uses	§§ 102, 202.2(e), 803.9(b)	P
10	Hospital	§ 102	NP
11	Medical Cannabis Dispensary	§§ 102, 202.2(e)	P(8)
12	Post-Secondary Educational Institution	§ 102	NP
13	Residential Care	§ 102	NP
14	School	§ 102	NP
15	Sales and Service Category		
16	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(5)(8)
17	Adult Business	§ 102	NP
18	Animal Hospital	§ 102	P
19	Cat Boarding	§ 102	P
20	Hotel	§ 102	NP
21	Kennel	§ 102	P
22	Massage Establishment	§ 102	C
23	Mortuary	§ 102	P
24	Self Storage	§ 102	NP
25	Trade Shop	§ 102	P

Non-Retail Sales and Service*	§ 102	P
Life Science	§ 102	NP
Office Uses	§ 102	NP(9)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(1)

* * * *

(9) Office Uses related to the Hall of Justice are P in Special Use District, pursuant to § 803.9(~~ec~~).

SEC. 837. SPD – SOUTH PARK DISTRICT.

* * * *

Zoning Category	§ References	South Park District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u><i>§ 202.11</i></u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	P
Agriculture, Industrial	§§ 102, 202.2(c)	NP
Automotive Use Category		
Automotive Uses	§ 102	NP
Entertainment, Arts and Recreation Use Category		

Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	NP(1)
Arts Activities, except Theater	§ 102	P
Entertainment, General	§ 102	C
Open Recreation Area	§ 102	P
Industrial Use Category		
Industrial Uses*	§ 102	NP
Light Manufacturing	§ 102	P
Institutional Use Category		
Institutional Uses*	§§ 102, 202.2(e), 803.9(b)	NP(1)
Child Care Facility	§ 102	P
Community Facility	§ 102	C(1)
Community Facility, Private	§ 102, 803.9(b)	C(1)
Medical Cannabis Dispensary	§§ 102, 202.2(e)	P
Public Facility	§§ 102, 803.9(b)	P
Residential Care Facility	§ 102	P
Religious Facility	§§ 102, 803.9(b)	C(1)
Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2), 803.9(b)	P
Sales and Service Category		
Retail Sales and Service Uses*	§ 102	P(5)(6)
Adult Sex Venue	§ 102	NP

Bar	§§ 102, 202.2(a); 803.9(b)	C (+) (5)
Cannabis Retail	§§ 102, 202.2(a); 803.9(b)	C (+) (5)
Kennel	§ 102	NP (+)
Liquor Store	§ 102, 202.2(a)	C (+) (5)
Mortuary	§ 102	NP (+)
Self Storage	§ 102	NP (+)
Service, Fringe Financial	§ 102	NP(2)
Non-Retail Sales and Service*	§ 102	P
Laboratory	§ 102	NP (+)
Storage, Wholesale	§ 102	NP (+)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Wireless Telecommunications Services Facility	§ 102	C(3)

* * * *

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

* * * *

SEC. 838. UMU – URBAN MIXED USE DISTRICT.

* * * *

Zoning Category	§ References	Urban Mixed Use District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		

<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C (5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise NP(2)
Automotive Wash	§ 102	C (5)
Motor Vehicle Tow Service	§ 102	C (5)
Private Parking Garage	§ 102	C (5)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C (5)
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C (5)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P
Movie Theater	§ 102	P, up to three screens
Livery Stable	§ 102	NP (5)
Outdoor Entertainment	§ 102	NP
Sports Stadium	§ 102	NP (5)
Industrial Use Category		
Industrial Uses	§ 102	NP (5)

1	Light Manufacturing	§ 102	P
2	Institutional Use Category		
3	Institutional Uses	§§ 202.2(e); 803.9(b)	P
4	Hospital	§ 102	NP (5)
5	Post-Secondary Educational Institution	§ 102	C (5)
6	Sales and Service Category		
7	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(2)
8	Adult Business	§ 102	C (5)
9	Adult Sex Venue	§ 102	C
10	Gym	§§ 102; 803.9(gd)	P(3)
11	Hotel	§ 102	NP (5)
12	Massage Establishment	§ 102	NP (5)
13	Mortuary	§ 102	NP (5)
14	Self Storage	§ 102	NP (5)
15	Trade Shop	§ 102	P
16	Non-Retail Sales and Service*	§ 102	P
17	Life Science	§ 102	NP (5)
18	Office Uses	§§ 102; 803.9(ec)	P(4)
19	Professional Services, Non-Retail	§§ 102	P(4)
20	Utility and Infrastructure Use Category		
21	Utility and Infrastructure uses*	§ 102	NP (5)
22	Public Transportation Facility	§ 102	P
23	Wireless Telecommunications Services Facility	§ 102	C (5)
24			
25			

* * * *

(4) ~~Unless located within a historic building per §803.9(c), u~~Uses subject to vertical control of § 803.9(~~ec~~).

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

* * * *

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

* * * *

Zoning Category	§ References	Western SoMa Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P(4)
Ambulance Service	§ 102	C(4)(5)(+)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
Motor Vehicle Tow Service	§ 102	C(+)(4)
Private Parking Garage	§ 102	C(+)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C(+)
Public Parking Lot	§ 102	NP

1	Service, Parcel Delivery	§§ 102, 303(cc)	C
2	Vehicle Storage Garage	§ 102	C(1)
3	Vehicle Storage Lot	§ 102	C
4	Entertainment, Arts and Recreation Use Category		
5	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	C(1)
6	Arts Activities	§ 102	P
7	Entertainment, General	§ 102	C(8)
8	Movie Theater	§ 102	NP(1)
9	Nighttime Entertainment	§ 102	NP(8)
10	Open Recreation Area	§ 102	P
11	Industrial Use Category		
12	Industrial Uses	§ 102	NP(1)
13	Light Manufacturing	§ 102	P
14	Institutional Use Category		
15	Institutional Uses	§§ 102, 202.2(e), 803.9(b)	P
16	Hospital	§ 102	NP(1)
17	Post-Secondary Educational Institution	§ 102	C(1)
18	Sales and Service Category		
19	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(5)
20	Adult Business	§ 102	NP(1)
21	Adult Sex Venue	<u>§ 102</u>	P(7)
22	Hotel	§ 102	NP(1)
23	Massage Establishment	§ 102	C(1)
24			
25			

Mortuary	§ 102	NP (1)
Self Storage	§ 102	NP (1)
Trade Shop	§ 102	P
Non-Retail Sales and Service*	§ 102	P
Laboratory	§ 102	NP (1)
Life Science	§ 102	NP (1)
Office Uses	§ 102	NP (1)
Wholesale Storage	§ 102	C (1)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP (1)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C (1) (2)

* * * *

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

* * * *

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

* * * *

Zoning Category	§ References	Western SoMa Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		

<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P(8)
Ambulance Service	§ 102	C(7)
Automobile Sale or Rental	§ 102	P(6)(8)
Motor Vehicle Tow Service	§ 102	C
Private Parking Garage	§ 102	C
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 303.9(b)	P
Movie Theater	§ 102	P, up to three screens
Outdoor Entertainment	§ 102	NP
Sports Stadium	§ 102	NP
Industrial Use Category		
Industrial Uses	§ 102	NP
Light Manufacturing	§ 102	P
Institutional Use Category		

Institutional Uses	§§ 102, 202.2(e); 803.9(b)	P
Hospital	§ 102	NP
Post-Secondary Educational Institution	§ 102	C
Residential Care	§ 102	NP
School	§ 102	C
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(6)(7)
Adult Business	§ 102	NP
Adult Sex Venue	§ 102	P
Hotel	§ 102	P up to 75 rooms.
Massage Establishment	§ 102	NP
Mortuary	§ 102	NP (1)
Self Storage	§ 102	NP (1)
Trade Shop	§ 102	P
Non-Retail Sales and Service*	§ 102	P
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Internet Services Exchange	§ 102	C
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(2)

* * * *

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

* * * *

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

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

SEC. 710. NC-1 – Neighborhood Commercial Cluster District.

SEC. 711. NC-2 – Small-Scale Neighborhood Commercial District.

SEC. 712. NC-3 – Moderate-Scale Neighborhood Commercial District.

SEC. 713. NC-S – Neighborhood Commercial Shopping Center District.

SEC. 714. Broadway Neighborhood Commercial District.

SEC. 715. Castro Street Neighborhood Commercial District.

SEC. 716. Inner Clement Street Neighborhood Commercial District.

- 1 SEC. 717. Outer Clement Street Neighborhood Commercial District.
- 2 SEC. 718. Upper Fillmore Street Neighborhood Commercial District.
- 3 SEC. 719. Haight Street Neighborhood Commercial District.
- 4 SEC. 720. Excelsior Outer Mission Neighborhood Commercial District.
- 5 SEC. 721. Japantown Neighborhood Commercial District.
- 6 SEC. 723. Polk Street Neighborhood Commercial District.
- 7 SEC. 724. Sacramento Street Neighborhood Commercial District.
- 8 SEC. 725. Union Street Neighborhood Commercial District.
- 9 SEC. 726. Pacific Avenue Neighborhood Commercial District.
- 10 SEC. 727. Lakeside Village Neighborhood Commercial District.
- 11 SEC. 728. 24th Street – Noe Valley Neighborhood Commercial District.
- 12 SEC. 729. West Portal Avenue Neighborhood Commercial District.
- 13 SEC. 730. Inner Sunset Neighborhood Commercial District.
- 14 SEC. 731. Noriega Street Neighborhood Commercial District.
- 15 SEC. 732. Irving Street Neighborhood Commercial District.
- 16 SEC. 733. Taraval Street Neighborhood Commercial District.
- 17 SEC. 734. Judah Street Neighborhood Commercial District.
- 18 SEC. 735. Inner Balboa Street Neighborhood Commercial District.
- 19 SEC. 736. Outer Balboa Street Neighborhood Commercial District.
- 20 SEC. 737. Bayview Neighborhood Commercial District.
- 21 SEC. 738. Cortland Avenue Neighborhood Commercial District.
- 22 SEC. 739. Geary Boulevard Neighborhood Commercial District.
- 23 SEC. 740. Mission Bernal Neighborhood Commercial District.
- 24 SEC. 741. San Bruno Avenue Neighborhood Commercial District.
- 25 SEC. 742. Cole Valley Neighborhood Commercial District.

SEC. 743. Lower Haight Street Neighborhood Commercial District.
SEC. 744. Lower Polk Street Neighborhood Commercial District.
SEC. 745. Inner Taraval Street Neighborhood Commercial District.
SEC. 746. Leland Avenue Commercial District.
SEC. 750. NCT-1 – Neighborhood Commercial Transit Cluster District.
SEC. 751. NCT-2 – Small-Scale Neighborhood Commercial Transit District.
SEC. 752. NCT-3 – Moderate-Scale Neighborhood Commercial Transit District.
SEC. 753. Soma Neighborhood Commercial Transit District.
SEC. 754. Mission Street Neighborhood Commercial Transit District.
SEC. 755. Ocean Avenue Neighborhood Commercial Transit District.
SEC. 756. Glen Park Neighborhood Commercial Transit District.
SEC. 759. Divisadero Street Neighborhood Commercial Transit District.
SEC. 760. Fillmore Street Neighborhood Commercial Transit District.
SEC. 761. Hayes-Gough Neighborhood Commercial Transit District.
SEC. 762. Valencia Street Neighborhood Commercial Transit District.
SEC. 763. 24th Street – Mission Neighborhood Commercial Transit District.
SEC. 764. Upper Market Street Neighborhood Commercial Transit District.

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

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

* * * *

1 (f) **Exemptions.** The following shall be exempt from the requirements of this Section
2 202.8:

3 * * * *

4 (9) Any project that proposes to convert ~~no more than 50% of the property's~~ PDR,
5 Institutional Community, or Arts Activities space that is within a Historic Building, ~~provided that~~
6 ~~such space is located within a landmark designated under Article 10 of the Planning Code or~~
7 ~~individually listed on the National Register of Historic Places as of July 1, 2016 and that no more than~~
8 ~~49,999 square feet is converted to office use. Additionally, any such project that is also subject to a~~
9 ~~contract or agreement meeting the requirements of California Civil Code Section 1954.28(d), which, as~~
10 ~~part of the terms of such contract or agreement, rents, leases, or sells at 50% below market rate the~~
11 ~~property's remaining PDR, Institutional Community, or Arts Activities space, may convert an~~
12 ~~additional 25% of the property's PDR, Institutional Community, or Arts Activities space exempt from~~
13 ~~the requirements of this Section 202.8, for a total of 75% exempted conversion. The City department~~
14 ~~negotiating the contract or agreement shall determine the market rate using accepted best practices for~~
15 ~~this purpose. Such below market rate rental, lease, or sale shall be for a period of not less than 55~~
16 ~~years and subject to a deed restriction. The exemptions set forth in this subsection 202.8(f)(9) may be~~
17 ~~approved through multiple project applications so long as no more than a total of 50% (or 75% if~~
18 ~~restricting the commercial rent of the property as set forth herein) of the property's PDR, Institutional~~
19 ~~Community, or Arts Activities space is converted under this exemption.~~

20 * * * *

21
22 Section 5. Proposition X, Planning Code Section 202.8, and Two-Thirds Vote Approval
23 Requirement.

24 Section 4 of this ordinance amends Planning Code Section 202.8. In November 2016,
25 the voters of San Francisco approved Proposition X, which added Section 202.8 to the

1 Planning Code, regarding conversion of PDR, Institutional Community, and Arts Activities
2 uses in certain districts. Subsection 202.8(i) provides that the Board of Supervisors “by
3 ordinance and by at least a two-thirds vote of all its members” may amend Section 202.8.
4

5 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
9 additions, and Board amendment deletions in accordance with the “Note” that appears under
10 the official title of the ordinance. An exception to this general principle is Section 3 of this
11 ordinance, which in a different manner provides for amendment of the Planning Code.
12
13
14
15
16

17 Section 7. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor’s veto of the ordinance.
21
22

23 APPROVED AS TO FORM:
24 DAVID CHIU, City Attorney

25 By: /s/ HEATHER GOODMAN

HEATHER GOODMAN
Deputy City Attorney

n:\legana\as2025\2600026\01865869.docx

LEGISLATIVE DIGEST

[Planning Code - Adaptive Reuse of Historic Buildings]

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

Existing Law

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

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

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

Amendments to Current Law

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

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

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

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

Background Information

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

n:\legana\as2025\2600026\01860003.docx



October 29, 2025

Ms. Angela Calvillo, Clerk
Honorable Mayor Lurie
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 2025-008758PCA:**
Adaptive Reuse of Historic Buildings
Board File No. 250886

Planning Commission Action: Adopted a Recommendation for Approval

Dear Ms. Calvillo and Mayor Lurie,

On October 15, 2025 and October 23, 2025, the Historic Preservation and the Planning Commission, respectively, conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance, introduced by Mayor Lurie. The proposed ordinance would amend the Planning Code to allow additional uses as principally or conditionally permitted in Historic Buildings citywide, exempt Historic Buildings in certain Eastern Neighborhood Plan Areas from Conditional Use authorization otherwise required to remove Production, Distribution, and Repair (PDR), Institutional Community, and Arts Activities uses, and from providing replacement space for such uses, make conforming amendments to provisions affected by the foregoing, including zoning control tables. At the hearings, both the Historic Preservation Commission and the Planning Commission each adopted a recommendation for approval.

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 Commissions. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr

Manager of Legislative Affairs

cc: Andrea Ruiz-Esquide, Deputy City Attorney
Adam Thongsavat, Office of Mayor Lurie
John Carroll, Office of the Clerk of the Board

ATTACHMENTS :

Historic Preservation Commission Resolution
Planning Commission Resolution
Planning Department Executive Summary



HISTORIC PRESERVATION COMMISSION RESOLUTION NO. 1491

HEARING DATE: October 15, 2025

Project Name: Adaptive Reuse of Historic Buildings
Case Number: 2025-008758PCA [Board File No. 250886]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Lisa Gluckshtein, Legislative Affairs
aaron.starr@sfgov.org, 628-652-7533
Reviewed by: Richard Sucre, Deputy Director, Current Planning Division
richard.sucre@sfgov.org, 628.652.7364

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW ADDITIONAL USES AS PRINCIPALLY OR CONDITIONALLY PERMITTED IN HISTORIC BUILDINGS CITYWIDE, EXEMPT HISTORIC BUILDINGS IN CERTAIN EASTERN NEIGHBORHOOD PLAN AREAS FROM CONDITIONAL USE AUTHORIZATION OTHERWISE REQUIRED TO REMOVE PRODUCTION, DISTRIBUTION, AND REPAIR (PDR), INSTITUTIONAL COMMUNITY, AND ARTS ACTIVITIES USES, AND FROM PROVIDING REPLACEMENT SPACE FOR SUCH USES; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on September 2, 2025 Mayor Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 250886, which would amend various existing Planning Code provisions and create a new Section 202.11 to make uses more permissive in Historic Buildings to improve the feasibility of projects for adaptive reuse, provided certain conditions are met;

WHEREAS, the Historic Preservation Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 15, 2025; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); 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, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby adopts a **recommendation for approval** of the proposed ordinance. The Commission's proposed recommendation(s) is/are as follows:

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 Commission finds that the Ordinance's allowance of greater use flexibility and other benefits to Historic Buildings supports their adaptive reuse and activation. This will help to ensure that Historic Buildings do not remain vacant and are instead actively used, maintained, and preserved instead of falling into dereliction. The Ordinance also corrects the piecemeal nature of current use flexibility provisions and their variable standards, simplifying the Planning Code and providing a consistent approach around eligibility and process for all Historic Buildings citywide.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

OBJECTIVE 1

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

By offering greater use flexibility to Historic Buildings, this Ordinance promotes their activation, maintenance, and continued preservation.

COMMERCE AND INDUSTRY ELEMENT

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.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY, THE EQUITABLE DISTRIBUTION OF INFRASTRUCTURE, 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.

The proposed Ordinance allows new commercial activity and other uses in Historic Buildings. This added commercial activity will help maintain a favorable business climate in San Francisco as it adds to the number of spaces available for new uses and activates new spaces that contribute to the economic, social, and cultural vitality of the City.

MISSION AREA PLAN

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK

Policy 1.1.2

Revise land use controls in portions of the Northeast Mission Industrial Zone outside the core industrial area to create new mixed use areas, allowing mixed income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

The proposed Ordinance supports the mixed use character of the Mission District. The loosened use permissions apply exclusively to Historic Buildings, rather than the Mission District as a whole, ensuring that it will only allow for incremental changes to the mix of uses and will not result in the wholesale displacement of PDR uses in the northeast Mission.

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER

Policy 3.1.9

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

CENTRAL SOMA AREA PLAN

OBJECTIVE 7.5

SUPPORT MECHANISMS FOR THE REHABILITATION AND MAINTENANCE OF CULTURAL HERITAGE PROPERTIES

POLICY 7.5.5

Encourage the use of existing strategies and incentives that facilitate the preservation and rehabilitation of designated cultural heritage properties.

DOWNTOWN AREA PLAN

OBJECTIVE 12

CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST.

POLICY 12.1

Preserve notable landmarks and areas of historic, architectural, or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The Ordinance will support the historic preservation goals articulated in the above objectives and policies from the Mission, Central SoMa, and Downtown Area Plans. By ensuring that Historic Buildings remain viable for new tenants and new uses, the Ordinance will help to ensure that these buildings remain activated, maintained, and preserved as part of the City's cultural and architectural heritage.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

While the proposed would allow for some office uses in a select few existing industrial buildings with historic designations, the proposed Ordinance would not cause significant displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings and would instead encourage their continued preservation.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The 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 ADOPTS A RECOMMENDATION FOR APPROVAL of the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 15, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.10.23 12:43:07 -07'00'

AYES: Cox, Tsern Strang, Baroni, Baldauf, Vergara, Foley, Matsuda
NOES: None
ABSENT: None
ADOPTED: October 15, 2025



PLANNING COMMISSION RESOLUTION NO. 21853

HEARING DATE: October 23, 2025

Project Name: Adaptive Reuse of Historic Buildings
Case Number: 2025-008758PCA [Board File No. 250886]
Initiated by: Mayor Lurie / Introduced September 2, 2025
Staff Contact: Lisa Gluckstein, Legislative Affairs
Lisa.gluckstein@sfgov.org 628-652-7533475

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ALLOW ADDITIONAL USES AS PRINCIPALLY OR CONDITIONALLY PERMITTED IN HISTORIC BUILDINGS CITYWIDE, EXEMPT HISTORIC BUILDINGS IN CERTAIN EASTERN NEIGHBORHOOD PLAN AREAS FROM CONDITIONAL USE AUTHORIZATION OTHERWISE REQUIRED TO REMOVE PRODUCTION, DISTRIBUTION, AND REPAIR (PDR), INSTITUTIONAL COMMUNITY, AND ARTS ACTIVITIES USES, AND FROM PROVIDING REPLACEMENT SPACE FOR SUCH USES; AFFIRMING THE PLANNING DEPARTMENT’S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND MAKING FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on September 2, 2025, Mayor Lurie introduced a proposed Ordinance under Board of Supervisors (hereinafter “Board”) File Number 250886, which would amend various existing Planning Code provisions and create a new Section 202.11 to make uses more permissive in Historic Buildings to improve the feasibility of projects for adaptive reuse, provided certain conditions are met; and

WHEREAS, the Historic Preservation Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 15, 2025 and adopted a recommendation for approval; and

WHEREAS, the Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 23, 2025; and

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15378 and 15060(c); 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, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance; and

WHEREAS, the Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Commission hereby adopts a **recommendation for approval** of the proposed ordinance. The Commission's proposed recommendation(s) is/are as follows:

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 Commission finds that the Ordinance's allowance of greater use flexibility and other benefits to Historic Buildings supports their adaptive reuse and activation. This will help to ensure that Historic Buildings do not remain vacant and are instead actively used, maintained, and preserved instead of falling into dereliction. The Ordinance also corrects the piecemeal nature of current use flexibility provisions and their variable standards, simplifying the Planning Code and providing a consistent approach around eligibility and process for all Historic Buildings citywide.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

OBJECTIVE 1

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

By offering greater use flexibility to Historic Buildings, this Ordinance promotes their activation, maintenance, and continued preservation.

COMMERCE AND INDUSTRY ELEMENT

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.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY, THE EQUITABLE DISTRIBUTION OF INFRASTRUCTURE, 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.

The proposed Ordinance allows new commercial activity and other uses in Historic Buildings. This added commercial activity will help maintain a favorable business climate in San Francisco as it adds to the number of spaces available for new uses and activates new spaces that contribute to the economic, social, and cultural vitality of the City.

MISSION AREA PLAN

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK

Policy 1.1.2

Revise land use controls in portions of the Northeast Mission Industrial Zone outside the core industrial area to create new mixed use areas, allowing mixed income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

The proposed Ordinance supports the mixed use character of the Mission District. The loosened use permissions apply exclusively to Historic Buildings, rather than the Mission District as a whole, ensuring that it will only allow for incremental changes to the mix of uses and will not result in the wholesale displacement of PDR uses in the northeast Mission.

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER

Policy 3.1.9

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

CENTRAL SOMA AREA PLAN

OBJECTIVE 7.5

SUPPORT MECHANISMS FOR THE REHABILITATION AND MAINTENANCE OF CULTURAL HERITAGE PROPERTIES

POLICY 7.5.5

Encourage the use of existing strategies and incentives that facilitate the preservation and rehabilitation of designated cultural heritage properties.

DOWNTOWN AREA PLAN

OBJECTIVE 12

CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST.

POLICY 12.1

Preserve notable landmarks and areas of historic, architectural, or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The Ordinance will support the historic preservation goals articulated in the above objectives and policies from the Mission, Central SoMa, and Downtown Area Plans. By ensuring that Historic Buildings remain viable for new tenants and new uses, the Ordinance will help to ensure that these buildings remain activated, maintained, and preserved as part of the City's cultural and architectural heritage.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or

overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

While the proposed would allow for some office uses in a select few existing industrial buildings with historic designations, the proposed Ordinance would not cause significant displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings and would instead encourage their continued preservation.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

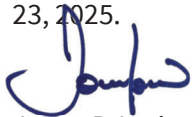
The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The 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 ADOPTS A RECOMMENDATION FOR APPROVAL of the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 23, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.10.24 09:44:37 -07'00'

AYES: Campbell, McGarry, Braun, Imperial, So
NOES: Williams, Moore
ABSENT: None
ADOPTED: October 23, 2025



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT

HEARING DATE: October 15, 2025 (HPC)

90-Day Deadline: December 1, 2025

Project Name: Adaptive Reuse of Historic Buildings
Case Number: 2025-008758PCA [Board File No. 250886]
Initiated by: Mayor / Introduced September 2, 2025
Staff Contact: Lisa Gluckstein
Lisa.Gluckstein@sfgov.org, 628-652-7475
Reviewed by: Richard Sucre, Deputy Director, Current Planning Division
richard.sucre@sfgov.org, 628.652.7364
Environmental Review: Not a Project Under CEQA

RECOMMENDATION: Adopt a Recommendation for Approval

Planning Code Amendment

The proposed Ordinance amends the Planning Code to allow additional uses as principally or conditionally permitted in Historic Buildings citywide, exempt Historic Buildings in certain Eastern Neighborhood Plan Areas from Conditional Use authorization otherwise required to remove Production, Distribution, and Repair (PDR), Institutional Community, and Arts Activities uses, and from providing replacement space for such uses. The proposed Ordinance would also make conforming amendments to provisions affected by the foregoing, including zoning control tables.

The Way It Is Now:

Currently, the Planning Code offers certain historic properties additional use flexibility in a limited number of districts through three separate programs with varying eligibility and approval criteria.

Table 1: Existing Use Flexibility Programs

	Districts	Use Flexibility	Eligible Buildings	Approval Requirements
1	Residential Districts (RH, RM, RTO, RTO-M) (Sec. 186.3)	<u>Conditionally permits</u> any use permitted on the ground floor in the NC-1 district	Article 10 Landmarks only.	[none described]
2	Folsom Street NCT and RC Districts (Sec. 703.9)	<u>Principally permits</u> Non-Retail Professional Service, Retail Professional Service, Community Facility, Private Community Facility, Social Service and Philanthropic Facility, Financial Service, Gym, Limited Financial Service, Health Service, Personal Service, and Instructional Service; <u>conditionally permits</u> Nighttime Entertainment on the third floor and above (except principally permitted at St. Joseph's Church).	Article 10 Landmarks, Article 11 significant buildings or contributors, and buildings listed on or eligible for the state or federal historic register.	<u>Feasibility determination:</u> The Zoning Administrator, with advice from the Historic Preservation Commission (HPC), must determine that the proposed use would enhance the feasibility of preserving the building. <u>HPC Review:</u> The HPC must review the project for compliance with the Secretary of the Interior's Standards. <u>Historic Building Maintenance Plan:</u> The sponsor must submit a maintenance plan for the building.
3	Eastern Neighborhoods Mixed Use Districts* (Sec. 803.9)	CMUO, MUG, MUR, MUO, UMU, RH-DTR, and SPD Districts: <u>Principally permits</u> all uses except for Nighttime Entertainment. WMUG: <u>Principally permits</u> Office uses. RED and RED-MX Districts: <u>Principally permits</u> Arts Activities, Community Facility, Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and Trade School uses; <u>conditionally permits</u> Retail Sales and Services uses and Office Uses; may not contain Nighttime Entertainment or Adult Business uses.	CMUO, MUG, MUR, MUO, UMU, RH-DTR, and SPD Districts: Article 10 Landmarks and buildings listed on or eligible for the California Register. WMUG, RED, and RED-MX Districts: Article 10 Landmarks, Article 11 significant buildings or contributors, and buildings <i>individually</i> listed on or eligible for the California Register.	<u>Feasibility determination</u> and <u>HPC Review</u> , as described for Folsom Street NCT and RC Districts, above.

***PDR Replacement Exemption:** In Eastern Neighborhoods Mixed Use districts, exemptions from protected Production, Distribution, and Repair (PDR), Institutional Community, or Arts Activity space replacement requirements apply only to Landmarks or buildings listed on the National Historic Register of July 1, 2016 that convert no more than 50% of such protected space up to 49,999 square feet, or up to 75% of such protected space if the property owners offer below-market-rate leasing of the remaining space.

The Way It Would Be:

This Ordinance would allow Historic Buildings citywide to benefit from additional use flexibility and consolidate these allowances into a single program. It would create a consistent standard for building eligibility and applicable approval process. The types of uses permitted would still vary by zoning district based on the characteristics of each particular district. It would also apply the exemption from PDR replacement requirements to all Historic Buildings subject to this program in the Eastern Neighborhoods Mixed Use Districts.

Table 2: Proposed Use Flexibility Program (Section 202.11)
Eligible Buildings
The ordinance would apply to any Historic Building, as already defined in the Planning Code, including any building: • Individually designated as a landmark under Article 10; • Listed as a contributor to an historic district listed in Article 10, or if the historic district does not list contributors, is determined to be a contributor through historic resource review; • That is a Significant or Contributory Building under Article 11, with a Category I, II, III or IV rating; <u>or</u> • Listed or has been determined eligible for listing in the California Register of Historical Resources or the National Register of Historic Places.
Approval Requirements
Any eligible buildings are subject to the following approval process: • <u>Director approval</u>: Any project that is subject to more flexible use controls per this Ordinance (e.g., changes from NP to C, or C to P) must obtain a Planning Director determination that allowing the Use will enhance the feasibility of adaptive reuse of the Historic Building. • <u>Department review</u>: Department staff must determine that the project complies with the Secretary of the Interior’s Standards and any applicable provisions of the Planning Code. • <u>HPC Review</u>: While the Ordinance does not require HPC review, Department staff will consult with the HPC to receive guidance as appropriate on a project-specific basis. (table continued on the next page)

Benefits for Historic Buildings		
In addition to use flexibility provisions (below), the Ordinance allows the following: <u>Use size limit waivers</u>: In all districts, except for Neighborhood Commercial Districts and Neighborhood Commercial Transit Districts, no Non-Residential Use Size limits shall apply. <u>Temporary use extension</u>: Temporary Uses may be authorized by the Planning Director for an initial period of six years, with the possibility of a six-year extension. <u>PDR replacement exemption</u>: In Eastern Neighborhoods Mixed Use districts, exemptions from protected Production, Distribution, and Repair (PDR), Institutional Community, or Arts Activity space replacement requirements would apply to any Historic Building eligible for the program described above.		
	District	Use Flexibility
1	Residential Districts (RH, RM, RTO, RTO-M)	<u>Conditionally permits</u> any use permitted on the ground floor in the NC-1 district (<i>no change</i>)
2	Folsom Street NCT and RC Districts	<i>[Folsom Street NCT controls collapsed under Neighborhood Commercial Controls, #5 below; RC controls changed to allow all uses, #4 below]</i>
3	Eastern Neighborhoods Mixed Use Districts*	CMUO, MUG, MUR, MUO, SPD, UMU, and WMUG Districts: <u>Principally permits</u> all uses. RED and RED-MX Districts: <u>Principally permits</u> Arts Activities, Community Facility, Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and Trade School uses; <u>conditionally permits</u> Retail Sales and Services uses and Office Uses; may not contain Nighttime Entertainment or Adult Business uses (<i>no change</i>).
4	Commercial Districts (C-2, C-3), RC, and DTR Districts	<u>Principally permits</u> all uses.
5	Neighborhood Commercial (all NCs and NCTs) and all other districts	<u>Principally permits</u> all uses that are conditionally permitted in that district <u>Conditionally permits</u> all uses that are not permitted in that district

Background

Protections for Historic Buildings

This Ordinance would *not* change the local, state, and federal regulations that are intended to protect the character-defining features and/or which govern a Historic Building. At the local level, exterior work will

continue to require either a Certificate of Appropriateness for Article 10 Landmarks, or a Permit to Alter for Article 11 Significant or Contributory Buildings. As a matter of state law, the California Environmental Quality Act (CEQA) requires most discretionary permit approvals to provide an analysis of any significant impacts to historic resources. All of these requirements would continue to apply to projects subject to this Ordinance.

Further, the Ordinance requires all projects to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These standards do not permit the demolition of Historic Buildings. In addition, these Standards mandate compatible new construction and/or modification of a Historic Building in a manner that preserves the character-defining features.

PDR Replacement Requirements

Proposition X (2016) places limitations on the conversion of Production, Distribution, and Repair, Institutional Community, or Arts Activity uses in the Eastern Neighborhoods Plan Areas. This includes requiring a Conditional Use Authorization for projects that propose the conversion of such uses and requiring the replacement of such uses in the same building according to replacement ratios that vary by district. These limitations are intended to help the city retain PDR, arts and community spaces in transitioning industrial neighborhoods.

The Planning Code currently exempts a narrow subset of projects in historic buildings from PDR replacement requirements: buildings listed on the National Historic Register as of July 1, 2016 that convert no more than 50% of a property's PDR, Institutional Community, or Arts Activities space, subject to a 25% bonus for the below-market-rate rental or sale of the remaining PDR, Institutional Community, or Arts Activities space.

Issues and Considerations

Flexibility Encourages the Use and Preservation of Historic Buildings

Through the existing use flexibility programs discussed above, the Planning Code already recognizes that offering additional use flexibility to buildings subject to historic protections is a tool "for support[ing] the economic viability of buildings of historic importance." Historic Buildings are subject to additional protections under Articles 10 and 11 of the Planning Code and/or CEQA that restrict renovations and alterations to character-defining features. This means that Historic Buildings are often more constrained in the type of uses and businesses that they can accommodate compared to non-historic buildings by virtue of the fact that the physical form of a Historic Building is less flexible. To counterbalance the physical limitations that apply to historic properties, the Ordinance offers Historic Buildings greater use flexibility to support their economic viability and continued preservation.

The Ordinance operates under the same logic of the existing historic building flexibility programs mentioned above, applying it to Historic Properties citywide under a unified set of eligibility and process criteria. As such, this Ordinance would correct the piecemeal approach to use flexibility by expanding its scope while simplifying the Planning Code programs that implement this concept.

To counterbalance the physical limitations that apply to historic properties, the Ordinance offers Historic Buildings greater use flexibility to support their economic viability and continued preservation.

Examples of Change of Use Projects in Historic Buildings

Several projects have undertaken the kind of conversions targeted by the proposed and existing use flexibility programs:

St. Joseph's Church - 1401 Howard St. (RCD)

The long entitlement history of St. Joseph's Church reflects the complexity of the various use flexibility programs and the need for flexibility in Historic Buildings:

- In 2012, the Article 10 Landmark St. Joseph's Church originally received a Certificate of Appropriateness and a CUA to undergo seismic upgrades and convert the church into office, retail, and assembly space, using a Landmarks use flexibility program in place at the time under Section 803.9 (which has since been updated).
- In 2015, the project sought re-entitlement due to Eastern Neighborhoods Planning Code changes, using the Section 703.9 program applicable to Landmarks in the Folsom Street NCT and RCD. Under Section 703.9, the project did not require a CUA that would otherwise have applied for an office use. However, a CUA was still required due to use size limits applicable within the RCD.
- In 2019, the City adopted legislation to provide greater flexibility in the Folsom NCT and RCD by principally permitting Arts Activities uses and conditionally permitting Nighttime Entertainment in Landmark buildings, *except* at St. Joseph's Church, where Nighttime Entertainment is principally permitted. The building now operates as a arts activities, events, and nighttime entertainment space.

Gregangelo Museum - 225 San Leandro Way (RH-1-D)

In 2024, the Gregangelo Museum, a museum space and artist collective operated out of a restored Mediterranean Revival style house, received an Article 10 Landmark designation. This allowed the Gregangelo Museum to benefit from the Section 186.3 use flexibility program to conditionally permit a General Entertainment use.

Sacred Heart Church and Parish Complex (aka Church of 8 Wheels) - 554 Fillmore St (RM-1)

The Sacred Heart Church and Parish Complex received an Article 10 Landmark designation in 2024. In 2024, it received a four-year Temporary Use Authorization for Church of 8 Wheels' entertainment, arts, and recreational events.

572 7th St (UMU)

In 2012, the Art Moderne industrial building located at 572 7th Street was individually listed on the California Register of Historic Places. In 2013, The project used the Eastern Neighborhoods Mixed Use flexibility provisions under Section 803.9 to permit an office use on the ground floor, which is otherwise not permitted in the UMU district.

Iglesia de Nuestra Senora de Guadalupe/Our Lady of Guadalupe Church - 906 Broadway (RM-2)

The church was originally designated as an Article 10 Landmark in 1993, and the designation was amended in 2019 to recognize its interior features. On October 2, 2025, the property sought a CUA from the Planning Commission to authorize a change of use under Section 186.3 to convert the vacant church to a General Entertainment event space focused on daytime and evening events.

Tenderloin Museum/Cadillac Hotel - 398 Eddy St (RC-4)

The Cadillac Hotel was designated as a Article 10 Individual Landmark in 1984. It is also a contributor to the Uptown Tenderloin Historic District (designated in 2009), listed on the state and national historic registers. The Tenderloin Museum, a non-profit museum that celebrates the rich history of the Tenderloin, is a current tenant of the Cadillac Hotel. The Museum is currently proposing an expansion within existing Cadillac Hotel space for a total use size of over 13,000 square feet. Currently, the RC-4 district requires a CUA for non-residential uses of 6,000 SF. If passed, the proposed Ordinance would allow the Museum expansion to proceed without requiring a CUA.

Easing PDR Replacement Requirements

PDR, Institutional Community, and Arts Activity replacement requirements place significant constraints on the use of Historic Buildings. The PDR replacement requirements contemplate new development projects that add significant net-new square footage and thus are better enabled to reserve a portion of that new square footage for protected PDR uses. However, in Historic Buildings, where regulatory protections limit the expansion of the building envelope and creation of new square footage, these PDR protections make it practically impossible to establish a new use in Historic Buildings with prior PDR, Institutional Community, or Arts Activities uses.

These PDR replacement protections apply In Eastern Neighborhoods Mixed Use Districts, where the use profile has changed from one with predominantly PDR uses to a mixed-use character. Further, the City, via the Eastern Neighborhoods Plans, has prioritized PDR Districts (as opposed to the Eastern Neighborhoods Mixed Use districts at issue here) for maintaining PDR uses. Allowing Historic Buildings greater flexibility with respect to PDR replacement requirements recognizes the physical constraints on accommodating PDR replacement space in such buildings supporting uses that will remain compatible with mixed-use neighborhoods.

Simplifying Code Requirements

The three existing use flexibility programs that apply in Residential Districts, Folsom Street NCT and RCD, and Eastern Neighborhoods Mixed Use Districts all have different criteria and process requirements that create complexity for Department implementation and confusion for potential project applicants. Even within the Eastern Neighborhoods Mixed Use District program (Section 803.9), building eligibility varies across specific zoning districts. Creating a unified set of eligibility and process standards across all districts simplifies Department implementation, improves Code legibility, and reflects good-government reforms that prioritize clarity and predictability.

General Plan Compliance

The Department finds that the proposed Ordinance is consistent with the General Plan. Urban Design Element Policy 2.4 is to “Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.” By offering greater use flexibility to Historic Buildings, this Ordinance promotes their activation, maintenance, and continued preservation. Commerce and Industry Element Policy 2.1 is to “Seek to retain existing commercial and industrial activity and to attract new such activity to the city” and Policy 4.1 is to “Maintain and enhance a favorable business climate in the city.” The Ordinance’s approach to offering greater flexibility in certain buildings will help encourage commercial and industrial activity and allow businesses to occupy spaces that were formerly not available to them.

Racial and Social Equity Analysis

Understanding the potential benefits, burdens and the opportunities to advance racial and social equity that the proposed Ordinance provides is part of the Department’s Racial and Social Equity Action Plan. This is also consistent with the Mayor’s Citywide Strategic Initiatives for equity and accountability, the Planning and Historic Preservation Commissions’ 2020 Equity Resolutions, and with the Office of Racial Equity mandates, which requires all Departments to conduct this analysis.

The Ordinance prioritizes the activation of vacant and underutilized historic buildings across the City, including in Cultural Districts and Priority Equity Geographies. These changes will help to ensure that Historic Buildings do not fall into disuse and dereliction and limit the adverse impacts on communities that results from vacant buildings, especially vacancies larger buildings that adversely impact entire city blocks. To further understand the impacts of this Ordinance, the Department can monitor the types of new uses that occupy Historic Buildings using the proposed provisions and monitor changes in surrounding communities to ensuring that any economic benefits are broadly distributed.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

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

Basis for Recommendation

The Department finds that the Ordinance’s allowance of greater use flexibility and other benefits to Historic Buildings supports their adaptive reuse and activation. This will help to ensure that Historic Buildings do not remain vacant and are instead actively used, maintained, and preserved instead of falling into dereliction. The Ordinance also corrects the piecemeal nature of current use flexibility provisions and their variable standards, simplifying the Planning Code and providing a consistent approach around eligibility and process for all Historic Buildings citywide.

Required Commission Action

The proposed Ordinance is before the Commission so that it may adopt a recommendation of approval, disapproval, or approval with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

ATTACHMENTS:

Exhibit A: Draft Historic Preservation Commission Resolution
Exhibit B: Board of Supervisors File No. 250886

BOARD of SUPERVISORS



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

MEMORANDUM

Date: September 15, 2025
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 250886
Planning Code - Adaptive Reuse of Historic Buildings

- ☒ California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - ☒ Ordinance / Resolution
 - ☐ Ballot Measure

Not defined as project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.
9/29/2025 *Joy Navarrete*
- ☒ Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - ☒ General Plan ☒ Planning Code, Section 101.1 ☒ Planning Code, Section 302
- ☐ Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)
- ☐ General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)
- ☐ Historic Preservation Commission
 - ☐ Landmark (*Planning Code, Section 1004.3*)
 - ☐ Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - ☐ Mills Act Contract (*Government Code, Section 50280*)
 - ☐ Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

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

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: Planning Code - Adaptive Reuse of Historic Buildings
DATE: September 2, 2025

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

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org