

1 [Planning, Administrative Codes - Construction of Accessory Dwelling Units]

2
3 **Ordinance amending the Planning Code to allow the construction of Accessory**
4 **Dwelling Units (ADUs, also known as Secondary or In-Law Units) on all lots in the City**
5 **in areas that allow residential use; amending the Administrative Code to revise the**
6 **definition of “rental unit” as it applies to ADUs; affirming the Planning Department’s**
7 **determination under the California Environmental Quality Act; making findings of**
8 **consistency with the General Plan, and the eight priority policies of Planning Code,**
9 **Section 101.1; adopting findings under Planning Code, Section 302; and directing the**
10 **Clerk to send a copy of this Ordinance to the California Department of Housing and**
11 **Community Development after adoption.**

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

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

20 Section 1. General and Environmental Findings.

21 (a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 160252 and is incorporated herein by reference. The Board affirms
25 this determination.

1 (b) On June 16, 2016, the Planning Commission, in Resolution No.19663, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No.160252, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that
7 these Planning Code amendments will serve the public necessity, convenience, and welfare
8 for the reasons set forth in Planning Commission Resolution No.19663.

9
10 Section 2. Legislative Findings.

11 1) San Francisco's total land area is approximately 49 square miles, and much of
12 this land is not open to development because of prohibitive topography or public ownership.

13 2) According to the 2010 United States Census Report, San Francisco is the most
14 densely populated city in California. The San Francisco Bay Area is the second most densely
15 populated metropolitan area in the United States, following only New York City.

16 3) Housing costs in San Francisco are beyond the reach of the vast majority of low-
17 and middle-income households. Approximately 90% of individuals earning less than \$35,000
18 and over 50% of individuals making from \$35,000 to \$75,000 are spending more than 30% of
19 their income on rent.

20 4) San Francisco has a shortage of affordable housing units, exacerbated not only
21 by a shortage of new affordable housing units, but also by the continuing loss of affordable
22 housing units across the City. While approximately 6,300 new affordable housing units were
23 built in the period from 2005 to 2015, over 4,500 rent controlled and otherwise protected
24 affordable units were withdrawn from the housing market.

1 5) Policy 1.5 of the City’s 2014 Housing Element, which is a required element of
2 the City’s General Plan, states that adding new units in existing residential buildings
3 represents a simple and cost-effective method of expanding the City’s housing supply. These
4 units could be developed to meet the needs of seniors, people with disabilities and others
5 who, because of modest incomes or lifestyles, prefer or need small units at relatively low
6 rents, while simultaneously enhancing their overall safety and habitability.

7 6) Section 65852.2 of the California Government Code provides that any local
8 agency may, by ordinance, provide for the creation of Accessory Dwelling Units (also known
9 as “second” or “in-law” units) in zones that allow for residential use. The State Legislature
10 finds and declares that these units are a valuable form of housing in California.

11 7) Expanding the construction of Accessory Dwelling Units to all lots in San
12 Francisco that allow for residential use will provide additional housing that may be subject to
13 rent control and other rent stabilization protections, without substantially changing their built
14 character and allowing more residents to live within walking distance of transit, shopping, and
15 services.

16 8) Allowing Accessory Dwelling Units within existing residential buildings, subject to
17 restrictions that incentivize their use as additional affordable rental housing, is a pragmatic
18 infill strategy to create more housing for San Francisco residents. This strategy is crucial for
19 San Francisco’s housing market in multiple respects.

20 9) This infill strategy would create more apartments in the areas of the city that are
21 already built-out without changing the neighborhood character, increasing building heights or
22 altering the built form. Such small-scale residential infill could create additional homes for
23 existing and future San Franciscans spread throughout the city.

1 10) A need exists in San Francisco for additional affordable housing. By allowing
2 Accessory Dwelling Units citywide, San Francisco will continue to be a major provider of
3 affordable housing opportunities in the region.

4
5 Section 3. The Planning Code is hereby amended by revising Sections 102, 207 and
6 307, and deleting Section 207.2, to read as follows:

7 **SEC. 102. DEFINITIONS.**

8 * * * *

9 **Dwelling Unit, Accessory.** Also known as a Secondary Unit or In-Law Unit, is a Dwelling Unit
10 ~~added to an existing residential property and~~ added to an existing residential property and
11 constructed entirely within the existing built envelope of an existing building in areas that allow
12 residential use or within the envelope of an existing and authorized auxiliary structure on the same lot
13 ~~and constructed with a complete or partial waiver from the Zoning Administrator of the density~~
14 ~~limits and/or the parking, rear yard, exposure, or open space standards of this Code pursuant~~
15 ~~to the provisions of Sections 207(c)(4) and 307(l)(i).~~

16 * * * *

17 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

18 * * * *

19 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations
20 under this Section shall be made in the following circumstances:

21 * * * *

22 (4) **Accessory Dwelling Units.**

23 (A) **Definition.** Except for lots zoned RH-1(D), which are regulated by
24 subsection (c)(5) below, An "Accessory Dwelling Unit" (ADU) is defined in Section 102.

1 (B) **Applicability.** The exceptions permitted by this Subsection
2 207(c)(4) shall apply ~~only~~ to all lots located within the City and County of San Francisco in areas
3 that allow residential use; provided, however, that the Department shall not approve an application for
4 construction of an Accessory Dwelling Unit in any building where a tenant has been evicted pursuant
5 to Administrative Code Section 37.9(a)(9) through 37.9(a)(14) under a notice of eviction served within
6 10 years prior to filing the application for a building permit to construct the ADU or where a tenant
7 has been evicted pursuant to Administrative Code Section 37.9(a)(8) under a notice of eviction served
8 within five years prior to filing the application for a building permit to construct the ADU.

9 (i) ~~lots within the boundaries of Board of Supervisors District 8~~
10 ~~extant on July 1, 2015;~~

11 (ii) ~~lots within the boundaries of Board of Supervisors District 3~~
12 ~~extant on July 1, 2015; and~~

13 (iii) ~~lots with a building undergoing mandatory seismic retrofitting in~~
14 ~~compliance with Section 34B of the Building Code or voluntary seismic retrofitting in compliance with~~
15 ~~the San Francisco Department of Building Inspection's Administrative Bulletin 094.~~

16 (C) **Controls on Construction.** An Accessory Dwelling Unit is permitted
17 to be constructed under the following conditions:

18 (i) ~~For existing buildings that have four no more than 10 existing~~
19 ~~Dwelling Units or fewer, one ADU is permitted; for existing buildings that have more than four 10~~
20 ~~existing Dwelling Units, there is no limit on the number of two ADUs are permitted.~~

21 (ii) ~~An Accessory Dwelling Unit shall be constructed entirely within~~
22 ~~the built envelope of an existing building or within the built envelope of an existing and authorized~~
23 ~~auxiliary structure on the same lot, as the built envelop existed three years prior to the time the~~
24 ~~application was filed for a building permit to construct the ADU. For purposes of this provision, the~~
25 ~~“built envelope” shall include the open area under a cantilevered room or room built on~~

1 columns; decks, except for decks that encroach into the required rear yard, or decks that are
2 supported by columns or walls other than the building wall to which it is attached and are
3 multi-level or more than 10 feet above grade; and lightwell infills provided that the infill will be
4 against a blank neighboring wall at the property line and not visible from any off-site location;
5 as these spaces exist as of July 11, 2016 and except for any of these spaces that encroach
6 on the required rear yard. In the event that an ADU is built in any of these additional spaces,
7 such construction shall require notice pursuant to Planning Code Section 311 or 312. space
8 under open railings, parapets, and catwalks; the open area under a cantilevered room or room
9 built on columns; decks, except for decks that encroach into the required rear yard, or decks
10 that are supported by columns or walls other than the building wall to which it is attached and
11 are multi-level or more than 10 feet above grade; and lightwell infills provided that the infill will
12 be against a blank neighboring wall at the property line and not visible from any off-site
13 location.

14 In the event any construction takes place in space under open railings, parapets, and
15 catwalks, the open area under a cantilevered room or room built on columns, decks, except
16 for decks that encroach into the required rear yard, or decks that are supported by columns or
17 walls other than the building wall to which it is attached and are multi-level or more than 10
18 feet above grade, such construction shall require notice pursuant to Planning Code Section
19 311 or 312.

21 (i) (iii) An Accessory Dwelling Unit shall not be constructed using
22 space from an existing Dwelling Unit.

23 (iv) A building undergoing seismic retrofitting may be eligible for a
24 height increase pursuant to Subsection (c)(4)(F) below.

1 (v) Notwithstanding any other provision of this Code, an Accessory
2 Dwelling Unit authorized under this Section 207(c)(4) may not be merged with an original unit(s).

3 (vi) An Accessory Dwelling Unit shall not be permitted in any
4 building in a Neighborhood Commercial District or in the Chinatown Community Business or Visitor
5 Retail Districts if it would eliminate or reduce a ground-story retail or commercial space.

6 ~~(vii) Accessory Dwelling Units shall have a minimum unit size of~~
7 ~~350-300 square feet for studio units and 550-500 square feet for one-bedroom units.~~

8 ~~(ii) The Accessory Dwelling Unit is subject to the provisions of the~~
9 ~~San Francisco Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) if~~
10 ~~the existing building or any existing Dwelling Unit within the building is subject to the Rent~~
11 ~~Stabilization and Arbitration Ordinance.~~

12 ~~(iii) **(D) Prohibition of Short-Term Rentals.** The Department shall require the~~
13 ~~applicant to disclose on any application for construction of an Accessory Dwelling Unit whether the~~
14 ~~applicant intends to use, or authorize the use of, the An Accessory Dwelling Unit shall not be used for~~
15 ~~Short-Term Residential Rentals under Chapter 41A of the Administrative Code, which restriction~~
16 ~~shall be recorded as a Notice of Special Restriction on the subject lot. The Department shall not~~
17 ~~approve an application for construction of an Accessory Dwelling Unit unless the applicant has~~
18 ~~provided the information required by this subsection.~~

19 ~~(E) **Restrictions on Subdivision.** Notwithstanding the provisions of Article 9 of the~~
20 ~~Subdivision Code, a lot with an Accessory Dwelling Unit authorized under this Section 207(c)(4) shall~~
21 ~~not be subdivided in a manner that would allow for the ADU to be sold or separately financed pursuant~~
22 ~~to any condominium plan, housing cooperative, or similar form of separate ownership; provided,~~
23 ~~however, that this prohibition on separate sale or finance of the ADU shall not apply to a~~
24 ~~building that (i) within three years prior to July 11, 2016 was an existing condominium with no~~
25 ~~Rental Unit as defined in Section 37.2(r) of the Administrative Code, and (ii) has had no~~

1 evictions pursuant to Sections 37.9(a)(8) through 37.9(a)(14) of the Administrative Code
2 within 10 years prior to July 11, 2016, and provided further that any such ADU may only be
3 sold to a household whose total household income does not exceed 120% of Area Median
4 Income. Such requirement for any sale shall be recorded as a Notice of Special Restrictions
5 on the property records or may be included as part of the Regulatory Agreement.

6 (iv) — **Board of Supervisors District 8.** *For Accessory Dwelling Units*
7 *on lots covered by Subsection 207(c)(4)(B)(i):*

8 a. — *An Accessory Dwelling Unit shall not be permitted in any*
9 *RH-1(D) zoning district.*

10 b. — *An Accessory Dwelling Unit shall be constructed entirely*
11 *within the existing building envelope or auxiliary structure, as it existed three (3) years prior to the*
12 *time of the application for a building permit.*

13 c. — *For buildings that have no more than 10 existing Dwelling*
14 *Units, one Accessory Dwelling Unit is permitted; for buildings that have more than 10 existing*
15 *Dwelling Units, two Accessory Dwelling Units are permitted.*

16 (v) — **Board of Supervisors District 3.** *For Accessory Dwelling Units*
17 *on lots covered by Subsection 207(c)(4)(B)(ii):*

18 a. — *An Accessory Dwelling Unit shall not be permitted in any*
19 *RH-1(D) zoning district.*

20 b. — *An Accessory Dwelling Unit shall be constructed entirely*
21 *within the existing building envelope or auxiliary structure, as it existed three (3) years prior to the*
22 *time of the application for a building permit.*

23 c. — *For buildings that have four existing Dwelling Units or*
24 *fewer, one Accessory Dwelling Unit is permitted; for buildings that have more than four existing*
25

1 *Dwelling Units, there is no limit on the number of Accessory Dwelling Units permitted by this Section*
2 *207(e)(4).*

3 **(F) (vi) Buildings Undergoing Seismic Retrofitting.** For Accessory
4 Dwelling Units on lots ~~covered by Subsection 207(e)(4)(B)(iii):~~ *with a building undergoing*
5 *mandatory seismic retrofitting in compliance with Section 34B of the Building Code* ~~or voluntary~~
6 ~~seismic retrofitting in compliance with the Department of Building Inspection's Administrative~~
7 ~~Bulletin 094, the following additional provision applies:~~

8 *a. — An Accessory Dwelling Unit shall not be permitted in any*
9 *RH-1 or RH-1(D) zoning district.*

10 *b. — An Accessory Dwelling Unit shall be constructed entirely*
11 *within the existing building envelope or auxiliary structure, as it existed three (3) years prior to the*
12 *time of the application for a building permit.*

13 *e. If permitted allowed by the Building Code, a building in*
14 *which an Accessory Dwelling Unit is constructed may be raised up to three feet to create*
15 *ground floor ceiling heights suitable for residential use ~~on lower floors~~. Such a raise in height*
16 *shall be:*

17 *1) — exempt from the notification requirements of*
18 *Sections 311 and 312 of this Code; and*

19 *2) ~~permitted to~~ may expand a noncomplying*
20 *structure, as defined in Section 180(a)(2) of this Code and further regulated in Sections 172,*
21 *180 and 188, without obtaining a variance for increasing the discrepancy between existing*
22 *conditions on the lot and the required standards of this Code.*

23 On lots where an ADU is added in coordination with a building undergoing mandatory
24 seismic retrofitting in compliance with Section 34 of the Building Code or voluntary seismic
25 retrofitting in compliance with the Department of Building Inspection's Administrative Bulletin

1 094, the building and the new ADU shall maintain any eligibility to enter the condo-conversion
2 lottery and may only be subdivided if the entire property is selected on the condo-conversion
3 lottery.

4 (G) (vii) **Waiver of Code Requirements; Applicability of Rent Ordinance.**

5 Pursuant to the provisions of Section 307(l) of this Code, the Zoning Administrator may grant
6 an Accessory Dwelling Unit a complete or partial waiver of the density limits and parking, rear
7 yard, exposure, or open space standards of this Code. ~~However, If the Zoning Administrator~~
8 ~~grants a complete or partial waiver of the requirements of this Code and the subject lot contains any~~
9 ~~Rental Units at the time an application for a building permit is filed for construction of the Accessory~~
10 ~~Dwelling Unit(s), the property owner(s) shall enter into a Regulatory Agreement with the City under~~
11 ~~Subsection (c)(4)(H) subjecting the ADU(s) to the San Francisco Residential Rent Stabilization and~~
12 ~~Arbitration Ordinance (Chapter 37 of the Administrative Code) as a condition of approval of the~~
13 ~~ADU(s). For purposes of this requirement, Rental Units shall be as defined in Section 37.2(r) of the~~
14 ~~Administrative Code. existing building or any existing Dwelling Unit within the building is subject to~~
15 ~~the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Chapter~~
16 ~~37 of the Administrative Code), the property owner shall submit the following to the Department:~~

17 (H) **Regulatory Agreements.** A Regulatory Agreement required by Subsection
18 (c)(4)(G) as a condition of approval of an Accessory Dwelling Unit shall contain the following:

19 a. (i) ~~proposed agreement demonstrating statement~~ that the Accessory Dwelling
20 Unit(s) ADU(s) are not subject to the Costa Hawkins Rental Housing Act (California Civil Code
21 Section 1954.50) because, under Section 1954.52(b k), the owner has entered into this
22 agreement with the City in consideration for a complete or partial waiver of the density limits,
23 and/or parking, rear yard, exposure or open space standards of this Code or other direct financial
24 contribution or ~~any~~ other form of assistance specified in California Government Code Sections
25 65915 et seq. ("Agreement"); and

1 (ii) ~~b-~~ ~~if the Planning Director determines necessary, an Affidavit~~
2 ~~containing information about the~~ a description of the complete or partial waiver of Code requirements
3 granted by the Zoning Administrator or other direct financial contribution or ~~other~~ form of
4 assistance provided to the property owner; and-

5 (iii) a description of the remedies for breach of the Agreement and other
6 provisions to ensure implementation and compliance with the Agreement.

7 (iv) The property owner and the Planning Director (or his designee), on behalf of the
8 City, will execute the Agreement, which shall be reviewed and approved by the City Attorney's
9 Office. The Agreement shall be ~~approved~~ executed prior to the City's issuance of the First
10 Construction Document for the project, as defined in Section 107A.13.1 of the San Francisco
11 Building Code. ~~(v)~~ Following execution of the Regulatory Agreement by all parties and approval by
12 the City Attorney, the Regulatory Agreement or a memorandum thereof shall be recorded against the
13 property and shall be binding on all future owners and successors in interest.

14 Any Regulatory Agreement entered into under this Section 207(c) shall not preclude a
15 landlord from establishing the initial rental rate pursuant to Section 1954.53 of the Costa
16 Hawkins Rental Housing Act, including imposing a rental increase pursuant to section
17 1954.53(d).

18 ~~(D)~~ (I) **Monitoring Program.**

19 (i) **Monitoring and Enforcement of Unit Affordability.** The
20 Department shall establish a system to monitor the affordability of the Accessory Dwelling
21 Units authorized to be constructed by this Subsection 207(c)(4) and shall use such data to
22 enforce the requirements of the Regulatory Agreements entered into pursuant to Subsection (c)(4)(H).
23 Property owners shall provide the Department with rent information as requested by the
24 Department. The Board of Supervisors recognizes that property owners and tenants generally
25 consider rental information sensitive and do not want it publicly disclosed. The intent of the

1 Board is for the Department to obtain the information for purposes of monitoring and enforcement
2 ~~so but that its public disclosure is not it can be used by the Department in aggregate form, not in a~~
3 ~~manner that would be~~ linked to specific individuals or units. The Department shall ~~only request~~
4 ~~rental information from property owners if the notice includes the statement that the Department is~~
5 ~~acquiring it in confidence and will publicly disclose it only in aggregate form. The Department shall~~
6 ~~not ask property owners to provide rental information if it determines, after consulting with the City~~
7 ~~Attorney's Office, with respect to the legal requirements to determine how best to achieve the intent of~~
8 ~~the Board that the information would be publicly disclosable under federal, state, or local law in~~
9 ~~nonaggregated form.~~

10 (ii) **Monitoring and Enforcement of Prohibition on Use as Short**
11 **Term Rentals.** The Department shall collect data on the use of Accessory Dwelling Units
12 authorized to be constructed by this Subsection (c)(4) as Short-Term Residential Rentals, as
13 that term is defined in Administrative Code Section 41A.4, and shall use such data to evaluate
14 and enforce Notices of Special Restriction pursuant to Subsection 207(c)(4)(D) and the
15 requirements of Administrative Code Chapter 41A.

16 (iii) **Department Report.** The Department shall publish a report
17 annually until by April 1, 2019 2016, that describes and evaluates the types of units being
18 developed and their affordability rates as well as their use as Short-Term Residential Rentals.
19 The report shall contain such additional information as the Director or the Board of Supervisors
20 determines would inform decision makers and the public on the effectiveness and
21 implementation of this Subsection (c)(4) and ~~make~~ include recommendations for any
22 amendments to the requirements of this Section 207(c)(4) or expansion of areas where Accessory
23 Dwelling Units should be constructed. The Department shall transmit this report to the Board of
24 Supervisors for its review and public input. In subsequent years, this information on Accessory
25 Dwelling Units shall be ~~included~~ reported annually in the Housing Inventory.

1 (5) Accessory Dwelling Units in RH-1(D) Zoning Districts.

2 (A) Definition. An "Accessory Dwelling Unit" (ADU) is defined in
3 Section 102.

4 (B) Controls on Construction. An Accessory Dwelling Unit in an RH-
5 1(D) zoning district shall be allowed only as mandated by Section 65852.2 of the California
6 Government Code and only in strict compliance with the requirements of subsection (b) of
7 Section 65852.2, as that state law is amended from time to time.

8 (C) Department Report. In the report required by subsection
9 (c)(4)(l)(iii), the Department shall include a description and evaluation of the number and
10 types of units being developed pursuant to this subsection (c)(5), their affordability rates, and
11 such other information as the Director or the Board of Supervisors determines would inform
12 decision makers and the public.

13 ~~**SEC. 207.2 SECOND UNITS.**~~

14 ~~(a) — Second units, as defined and referred to in Government Code Section 65852.2, are~~
15 ~~precluded in RH-1(D) and RH-1 zoned areas, except for units designed for and occupied by senior~~
16 ~~citizens ("Senior Housing" as defined by Section 102) and except as may hereafter be permitted by later~~
17 ~~amendments to this Code governing second units.~~

18 ~~(b) — Government Code Section 65852.2 requires a City to adopt either an ordinance~~
19 ~~permitting or precluding second units within single family and multifamily zoned areas or, in the~~
20 ~~alternative, to be subject to certain restrictions set forth in Government Code Section 65852.2(b). The~~
21 ~~provisions of this ordinance, in light of other provisions of the Planning Code governing second units,~~
22 ~~do not result in the total preclusion of second units within single family and multifamily zoned areas~~
23 ~~and therefore San Francisco has a legislative scheme which complies with Government Code Section~~
24 ~~65852.2(a). In the event that it is determined, however, that San Francisco's legislative scheme does not~~

1 ~~comply with Government Code Section 65852.2(a), the following findings are made with the intent of~~
2 ~~complying with Government Code Section 65852.2(c).~~

3 (1) — ~~San Francisco's total land area is approximately 49 square miles and much of~~
4 ~~this land is not open to development because of topography or public ownership. San Francisco does~~
5 ~~not have the option open to many other cities of annexing undeveloped land currently outside its~~
6 ~~borders.~~

7 (2) — ~~San Francisco already has higher density development than other cities in~~
8 ~~California, both in terms of units per square feet of lot area and in terms of units per linear feet of~~
9 ~~street frontage. The density for housing development in San Francisco ranges from 4,000 square feet of~~
10 ~~lot area per unit in RH-1(D) (House, One-Family Detached Dwellings) Districts to 200 square feet per~~
11 ~~unit in RM-4 (Mixed Residential, High Density) Districts. Except for districts which require a lot width~~
12 ~~of 33 feet and an area of 4,000 square feet, the minimum lot size for housing development is 2,500~~
13 ~~square feet in area, following the standard lot size in San Francisco (25 X 100 square feet), or 1,750~~
14 ~~square feet for lots within 125 feet of a corner. This density and lot size requirement allows greater~~
15 ~~density than other jurisdictions in California where the typical density and lot size is about 5,000~~
16 ~~square feet per unit for single-family dwellings and 1,500 square feet per unit for multifamily~~
17 ~~development.~~

18 (3) — ~~San Francisco is the most densely populated city in California. It is the fourth~~
19 ~~most densely populated city in the nation following only New York City and two cities in New Jersey~~
20 ~~(Jersey City and Patterson).~~

21 (4) — ~~The limited land area and the limited developable land area of San Francisco~~
22 ~~make it difficult to provide sites to replace single-family houses lost through conversion to a higher~~
23 ~~density. Once single-family homes are converted into multiple dwelling structures by the addition of a~~
24 ~~second unit, single-family housing stock is eliminated from the existing supply of single-family homes.~~

1 *The irrevocable loss of the limited supply of single-family housing stock throughout the City will*
2 *adversely affect the health, safety and welfare of San Francisco residents.*

3 (5) — *Single family residences have in recent years been demolished at a faster rate*
4 *than any other residential structures in the City primarily because new multiple-unit residential*
5 *development in the City often occurs as the result of the demolition of single family homes in multiple-*
6 *unit districts. Single family homes were 37 percent of the residential units demolished in 1984, and 61*
7 *percent of the residential units demolished in 1983. Single family homes represented an even larger*
8 *percentage of the residential structures demolished. Single family homes were 86 percent of the*
9 *residential structures demolished in 1984, and 74.4 percent of the residential structures demolished in*
10 *1983.*

11 (6) — *Single family structures represent only 1/3 of all residential structures in San*
12 *Francisco compared to 60 percent of the residential structures in the State of California. Single family*
13 *homes accounted for 18 percent of the new housing units in San Francisco in 1984, and 7 percent of*
14 *the new units in 1983. Other jurisdictions in California had single family structures representing*
15 *approximately 50 percent of their new residential building permits for the same period.*

16 (7) — *The number of families in San Francisco declined in the years from 1970 to*
17 *1980, as evidenced by the school enrollment for the population group under 15 years old. The decline*
18 *in enrollment was from 106,900 to 83,790. The zoning policy of the City and County of San Francisco*
19 *should encourage families to live in the City rather than encouraging them to leave the City. A further*
20 *decline in the number of families living in the City is detrimental to the public health, safety and*
21 *welfare.*

22 (8) — *The addition of second units to single family dwellings usually results in an*
23 *increase in the cost of those dwellings, and, in addition, to the cost of the remaining smaller supply of*
24 *single family homes without second units. An increase in the cost of these types of dwellings will*
25

1 *discourage families from living in the City because the cost of dwellings most suitable for families will*
2 *be beyond the means of many who would otherwise live in the City.*

3 (9) — *San Francisco will probably face a need for more large units in the future than it*
4 *did in the past, as the population ages and the new baby boom continues. Many women born between*
5 *1945 and 1952 who delayed child bearing during the 1970's are now having babies at the same rate as*
6 *women born after 1952.*

7 (10) — *The addition of second units in single family houses throughout the City will*
8 *irrevocably deplete its limited supply of single family homes and discourage families from living in the*
9 *City by removing the type and size of dwelling units most suitable for families. Many of the residential*
10 *parcels in the City are less than 2,500 square feet in size or 1,750 square feet for corner lots and do not*
11 *meet minimum lot size standards. Many of these parcels were developed without required garages or*
12 *with minimal garage space, and do not comply with existing off-street parking requirements. The*
13 *addition of second residential units in these areas could only worsen existing congestion.*

14 (11) — *Parking problems are severe in a number of areas of the City because of its*
15 *dense population. The addition of second units in such areas will exacerbate the parking problem.*
16 *Imposing off-street parking requirements on secondary units would only partially alleviate that*
17 *problem in that additional units cause increased traffic other than that engaged in by the occupants of*
18 *the units (such as persons visiting the occupants for social or business purposes) as well as by the*
19 *occupants of the units.*

20 (12) — *Increased parking problems in areas of the City already burdened with traffic*
21 *congestion adversely affects the health, safety and welfare of the residents of such areas by interfering*
22 *with access to off-street parking spaces, requiring additional police services to control traffic problems*
23 *and unlawful parking, requiring occupants and visitors to park further from their homes (thereby also*
24 *exposing themselves to greater inconvenience and, in some instances, threat to safety), and interfering*
25 *with access by emergency vehicles during an emergency (a problem which is further complicated in*

1 ~~areas with narrow streets, winding roads, and other topographical features which make access by~~
2 ~~vehicles difficult).~~

3 ~~(13) — A need exists in San Francisco for additional affordable housing. Allowing~~
4 ~~second units in RH-1(D) and RH-1 Districts is one means of providing such housing. However, to allow~~
5 ~~second units without restriction in all areas currently zoned RH-1(D) and RH-1 would adversely affect~~
6 ~~the health, safety and welfare of the public by permitting the conversion of an undue number of single-~~
7 ~~family houses to multi-family units; by eliminating low-density residential areas in the City and thereby~~
8 ~~depriving those who desire to live in the City without the stress of living in higher-density areas of their~~
9 ~~opportunity to do so; and by permitting second units to be added in areas where undue traffic~~
10 ~~congestion and the attendant difficulties described above, will occur.~~

11 ~~(14) — A further period of time is needed in order to determine those areas of the City~~
12 ~~where the traffic congestion problems described above would be least likely to occur and where second~~
13 ~~units may therefore be permitted without adverse impact to the public.~~

14 ~~(15) — There are no large districts suitable for the provision of second units, but instead~~
15 ~~there are small subareas which must be reviewed on a case-by-case basis with community participation~~
16 ~~in the review process. A case-by-case review is needed in order to determine those areas of the City~~
17 ~~where the traffic congestion problems described above would be least likely to occur and where second~~
18 ~~units may therefore be permitted without adverse impact to the public. Furthermore:~~

19 ~~(A) — The Planning Code presently permits a secondary unit in all single-~~
20 ~~family homes in RH-1(S) (House, One-Family with Minor Second Unit), RH-2 (House, Two-Family)~~
21 ~~and RH-3 (House, Three-Family) Districts no matter what the lot size. Second units in single-family~~
22 ~~homes are permitted in all other multifamily residential districts (all RM and RC Districts), depending~~
23 ~~on the size of the lot.~~

24 ~~(B) — The Planning Code permits the mapping of the RH-1(S) (House, One-~~
25 ~~Family with Minor Second Unit) District. These RH-1(S) Zoning Districts provide for a two-family~~

1 dwelling with the second dwelling limited to 600 square feet of net floor area. The second unit remains
2 subordinate to the owner's unit and the structures retain the appearance of single-family dwellings. The
3 RH-1(S) Zoning District has been mapped in four areas of the City. Additional mapping of the RH-1(S)
4 Zoning District may be used to legalize existing secondary units in single-family homes and to increase
5 the number of secondary units.

6 (C) — Dwellings specifically designed for and occupied by senior citizens
7 ("Senior Housing") are presently permitted at a density ratio or number of Dwelling Units not
8 exceeding twice the number of Dwelling Units otherwise permitted as a principal use in the district by
9 the Planning Code.

10 (16) — Restricting second units in single-family homes in San Francisco's RH-1(D) and
11 RH-1 Zoning Districts may limit the housing opportunities of the region. However, over time,
12 applications for RH-1(S) zoning designation may be reviewed on a case-by-case basis by the Planning
13 Commission and its staff, the Board of Supervisors and the Mayor and where second units would be
14 appropriate and would not adversely affect the public health, safety and welfare of residents of the City
15 and County of San Francisco, such rezoning applications would be approved. Neither the provisions of
16 this Section nor those of Government Code Section 65852.2 preclude the City from hereafter amending
17 this Code in order to permit second units in additional situations designed to address specific housing
18 needs and circumstances unique to San Francisco.

19 (17) — San Francisco has been and will continue to be a major provider of affordable
20 housing opportunities in the region.

21 (A) — Currently (1986) San Francisco administers 6,766 units of public
22 housing and 2,574 Section 8 certificates.

23 (B) — Article 34, Section 1 of the California Constitution requires the approval
24 of the electorate as a condition to the development or acquisition of a low-rent housing project by the
25 local jurisdiction. San Francisco has met the requirement with the City's voters approving the

1 *development of a maximum of 3,000 low-income housing units by a vote on Proposition Q on*
2 *November 2, 1976. Together with the units previously approved, approximately 4,000 low-income*
3 *housing units may be developed, constructed or acquired.*

4 *(C) — Between 1981 and 1985, San Francisco's housing production efforts*
5 *included, but were not limited to the following:*

6 *1. — San Francisco undertook a major rezoning of underutilized land*
7 *which will allow the development of 14,000 housing units. Another 1,700 units are underway on vacant*
8 *publicly owned sites in the City.*

9 *2. — San Francisco set aside \$10,000,000 in general fund monies for*
10 *an Affordable Housing Fund. \$6,100,000 of this amount is committed to create 443 housing units*
11 *including the renovation of 82 vacant public housing units into privately managed two and three-*
12 *bedroom apartments.*

13 *3. — San Francisco combined \$1,000,000 in federal Community*
14 *Development Funds with the proceeds of an \$8,000,000 bond issue to finance home improvement loans*
15 *for low and moderate income homeowners.*

16 *4. — The Office Housing Production Program (OHPP), under which*
17 *high-rise office developers are required to build or contribute to housing on a formula based on the*
18 *size of their projects was instituted in 1981. The program has resulted in \$25,000,000 and over 3,700*
19 *housing units to date.*

20 *5. — The City of San Francisco has sold \$84,000,000 in two bond*
21 *issues since 1982 to provide 30-year, 10¾ percent mortgages to some 900 low-to middle-income first-*
22 *time homebuyers. In addition a \$42,000,000 bond issue was sold to finance up to 400 homes with 9.8*
23 *percent mortgages. In June, 1985 the City sold \$44,000,000 in mortgage revenue bonds to finance the*
24 *construction of 563 units of rental housing on five sites.*

1 (D) — ~~Between 1980 and mid-1985 community-based nonprofit organizations~~
2 ~~which receive Community Development Block Grant funding built 1,166 new housing units for low- and~~
3 ~~moderate-income households. At the time of the 1985 report on their activities they had 200 units under~~
4 ~~construction, and 426 units planned. During this same time the organizations rehabilitated 1,780 units~~
5 ~~for lower-income households, had 426 units undergoing rehabilitation, and had plans to rehabilitate~~
6 ~~1,285 units.~~

7 **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.**

8 In addition to those specified in Sections 302 through 306, and Sections 316 through
9 316.6 of this Code, the Zoning Administrator shall have the following powers and duties in
10 administration and enforcement of this Code. ~~The duties described in this Section shall be~~
11 ~~performed under the general supervision of the Director of Planning, who shall be kept informed of the~~
12 ~~actions of the Zoning Administrator.~~

13 * * * *

14 (I) **Exceptions from Certain Specific Code Standards Through**
15 **Administrative Review for Accessory Dwelling Units Constructed Pursuant to Section**
16 **207(c)(4) ~~207.4(e)~~ of this Code.** The Zoning Administrator may allow complete or partial relief
17 from the density limits and from the parking, rear yard, exposure, and/or open space
18 requirements of this Code when modification of the requirement would facilitate the
19 construction of an Accessory Dwelling Unit, as defined in Section 102 and meeting the
20 requirements of Section 207(c)(4) of this Code. The exposure requirements of Section 140
21 apply, except that subsection (a)(2) may be satisfied through windows facing an open area
22 that is at least 15 feet in every horizontal direction that is not required to expand on
23 subsequent floors. In considering any request for complete or partial relief from these Code
24 requirements, the Zoning Administrator shall facilitate the construction of such Accessory
25 Dwelling Units to the extent feasible and shall consider any criteria elsewhere in this Section

307 that he or she determines to be applicable. Nothing in this Section shall be interpreted as allowing for an existing non-conforming use to be deemed conforming.

* * * *

Section 4. The Planning Code is hereby amended by revising Sections 210.4, 710 through 747, and 810 through 818, 827, 828, 829, and 840 through 847, to read as follows:

SEC. 210.4. M DISTRICTS: INDUSTRIAL

* * * *

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

Zoning Category	§ References	M-1	M-2
* * * *			
RESIDENTIAL STANDARDS AND USES			
<i>Development Standards</i>			
* * * *			
<i>Residential Uses</i>			
Residential Density, Dwelling Units <u>(3)</u>	§ 207	C at a density ratio not exceeding the number of dwelling units permitted in the nearest R District, with the distance to such R District measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever permits the greater density; provided, that the maximum density ratio shall in no case be less than one unit for each 800 feet of lot area. Any remaining fraction of one-half or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units. NP above.	
* * * *			

* * * *

(3) Construction of Accessory Dwelling Units may be permitted pursuant to Section 207(c)(4).

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

2 NC-1 Districts are intended to serve as local neighborhood shopping districts, providing
3 convenience retail goods and services for the immediately surrounding neighborhoods
4 primarily during daytime hours.

5 These NC-1 Districts are characterized by their location in residential neighborhoods,
6 often in outlying areas of the City. The commercial intensity of these districts varies. Many of
7 these districts have the lowest intensity of commercial development in the City, generally
8 consisting of small clusters with three or more commercial establishments, commonly grouped
9 around a corner; and in some cases short linear commercial strips with low-scale,
10 interspersed mixed-use (residential-commercial) development.

11 Building controls for the NC-1 District promote low-intensity development which is
12 compatible with the existing scale and character of these neighborhood areas. Commercial
13 development is limited to one story. Rear yard requirements at all levels preserve existing
14 backyard space.

15 NC-1 commercial use provisions encourage the full range of neighborhood-serving
16 convenience retail sales and services at the first story provided that the use size generally is
17 limited to 3,000 square feet. However, commercial uses and features which could impact
18 residential livability are prohibited, such as auto uses, financial services, general advertising
19 signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are
20 restricted, depending upon the intensity of such uses in nearby commercial districts.

21 Housing development in new buildings is encouraged above the ground story in most
22 districts. Existing residential units are protected by prohibitions of conversions above the
23 ground story and limitations on demolitions. Accessory Dwelling Units are permitted *within the*
24 *district on lots within the boundaries of Board of Supervisors District 8* pursuant to Subsection
25 207(c)(4) of this Code.

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

3 * * * *

4 **SPECIFIC PROVISIONS FOR NC-1 DISTRICTS**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§ 710.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: <i>-Within the boundaries of the NC-1 Districts Board of Supervisors District 8 extant on July 1, 2015.</i> Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground story retail or commercial space.</i>

13 **SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

14 The NC-2 District is intended to serve as the City's Small-Scale Neighborhood
 15 Commercial District. These districts are linear shopping streets which provide convenience
 16 goods and services to the surrounding neighborhoods as well as limited comparison shopping
 17 goods for a wider market. The range of comparison goods and services offered is varied and
 18 often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2
 19 Districts are commonly located along both collector and arterial streets which have transit
 20 routes.

21 These districts range in size from two or three blocks to many blocks, although the
 22 commercial development in longer districts may be interspersed with housing or other land
 23 uses. Buildings typically range in height from two to four stories with occasional one-story
 24 commercial buildings.

1 The small-scale district controls provide for mixed-use buildings which approximate or
 2 slightly exceed the standard development pattern. Rear yard requirements above the ground
 3 story and at residential levels preserve open space corridors of interior blocks.

4 Most new commercial development is permitted at the ground and second stories.
 5 Neighborhood-serving businesses are strongly encouraged. Eating and drinking and
 6 entertainment uses, however, are confined to the ground story. The second story may be
 7 used by some retail stores, personal services, and medical, business and professional offices.
 8 Parking and hotels are monitored at all stories. Limits on late-night activity, drive-up facilities,
 9 and other automobile uses protect the livability within and around the district, and promote
 10 continuous retail frontage.

11 Housing development in new buildings is encouraged above the ground story. Existing
 12 residential units are protected by limitations on demolition and upper-story conversions.
 13 *Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this*
 14 *Code.*

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

17 * * * *

No.	Zoning Category	§ References	NC-2 Controls by Story		
		§ 790.118	1st	2nd	3rd+

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
711.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR NC-2 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
<u>§ 711.91</u>	<u>§ 207(c)(4)</u>	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <u>Within the boundaries of the NC-2 Districts.</u></p> <p><i>Controls:</i> <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>

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

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels.

1 A diversified commercial environment is encouraged for the NC-3 District, and a wide
 2 variety of uses are permitted with special emphasis on neighborhood-serving businesses.
 3 Eating and drinking, entertainment, financial service and certain auto uses generally are
 4 permitted with certain limitations at the first and second stories. Other retail businesses,
 5 personal services and offices are permitted at all stories of new buildings. Limited storage and
 6 administrative service activities are permitted with some restrictions.

7 Housing development in new buildings is encouraged above the second story. Existing
 8 residential units are protected by limitations on demolitions and upper-story conversions.
 9 *Accessory Dwelling Units are permitted within the district on lots within the boundaries of Board of*
 10 *Supervisors District 8 pursuant to Subsection 207(c)(4) of this Code.*

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

13 * * * *

14 **SPECIFIC PROVISIONS FOR NC-3 DISTRICTS**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§ 712.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: <i>-Within the boundaries of the NC-3 Districts Board of Supervisors District 8 extant on July 1, 2015.</i> Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the

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		same lot, <i>provided that it does not eliminate or reduce a ground story retail or commercial space.</i>
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SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

NC-S Districts are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers. They commonly contain at least one anchor store or supermarket, and some districts also have small medical office buildings. The range of services offered at their retail outlets usually is intended to serve the immediate and nearby neighborhoods. These districts encompass some of the most recent (post-1945) retail development in San Francisco's neighborhoods and serve as an alternative to the linear shopping street.

Shopping centers and supermarket sites contain mostly one-story buildings which are removed from the street edge and set in a parking lot. Outdoor pedestrian activity consists primarily of trips between the parking lot and the stores on-site. Ground and second stories are devoted to retail sales and some personal services and offices.

The NC-S standards and use provisions allow for medium-size commercial uses in low-scale buildings. Rear yards are not required for new development. Most neighborhood-serving retail businesses are permitted at the first and second stories, but limitations apply to fast-food restaurants and take-out food uses. Some auto uses are permitted at the first story. Limited storage and administrative service activities are permitted with some restrictions.

Housing development in new buildings is permitted. Existing residential units are protected by limitations on demolitions and prohibitions of upper-story conversions. Accessory Dwelling Units are permitted *within the district on lots within the boundaries of Board of Supervisors District 8* pursuant to Subsection 207(c)(4) of this Code.

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

3 * * * *

4 **SPECIFIC PROVISIONS FOR NC-S DISTRICTS**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§ 713.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: <i>-Within the boundaries of the NC-S Districts Board of Supervisors District 8 extant on July 1, 2015.</i> Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground story retail or commercial space.</i>

13 **SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.**

14 * * * *

15 **SPECIFIC PROVISIONS FOR THE BROADWAY**
 16 **NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 714, 714.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Broadway NCD. Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure

		on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i>
* * * *	* * * *	* * * *

SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

SPECIFIC PROVISIONS FOR THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
§§ 715, 715.12 715.91 715.93	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: <i>Board of Supervisors District 8 extant on July 1, 2015.</i> Within the boundaries of the Castro Street NCD. Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i>
* * * *	* * * *	* * * *

SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Clement Street Commercial District is located on Clement Street between Arguello Boulevard and Funston Avenue in the eastern portion of the Richmond District of northwest San Francisco. The district provides a wide selection of convenience goods and services for the residents of the Inner Richmond neighborhood. Inner Clement Street has one of the greatest concentrations of restaurants of any commercial street in San Francisco,

1 drawing customers from throughout the City and region. There are also a significant number
 2 of professional, realty, and business offices as well as financial institutions. The pleasant
 3 pedestrian character of the district is derived directly from the intensely active retail frontage
 4 on Clement Street.

5 The Inner Clement Street District controls are designed to promote development that is
 6 consistent with its existing land use patterns and to maintain a harmony of uses that supports
 7 the district's vitality. The building standards allow small-scale buildings and uses, protecting
 8 rear yards above the ground story and at residential levels. In new development, most
 9 commercial uses are permitted at the first two stories, although certain limitations apply to
 10 uses at the second story. Special controls are necessary to preserve the equilibrium of
 11 neighborhood-serving convenience and comparison shopping businesses and protect
 12 adjacent residential livability. These controls prohibit additional financial service and limit
 13 additional eating and drinking establishments, late-night commercial uses and ground-story
 14 entertainment uses. In order to maintain the street's active retail frontage, controls also
 15 prohibit most new automobile and drive-up uses.

16 Housing development is encouraged in new buildings above the ground story. Existing
 17 residential units are protected by prohibitions on upper-story conversions and limitations on
 18 demolitions. Accessory Dwelling Units are permitted within the district pursuant to Subsection
 19 207(c)(4) of this Code.

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

22 * * * *

No.	Zoning Category	§ References	Inner Clement Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

25 * * * *

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
716.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area # § 207(c)		
****	****	****	****		

SPECIFIC PROVISIONS FOR THE INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 716, 716.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><u><i>Boundaries: Within the boundaries of the Inner Clement Street NCD.</i></u></p> <p><u><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></u></p>

SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Outer Clement Street Neighborhood Commercial District is located on Clement Street between 19th Avenue and 27th Avenue in the western portion of the Richmond District. The shopping area contains small-scale convenience businesses, as well as many restaurants and a movie theater. The district's restaurants serve a neighborhood and Citywide clientele during the evening hours, while convenience shopping uses cater for the most part to

1 daytime neighborhood shoppers. Outer Clement Street contains many mixed-use buildings
 2 with some fully commercial and fully residential buildings interspersed between them.

3 The Outer Clement Street District controls are designed to promote development that is
 4 in keeping with the district's existing small-scale, mixed-use character. The building standards
 5 monitor large-scale development and protect rear yards at all levels. Future commercial
 6 growth is directed to the ground story in order to promote more continuous and active retail
 7 frontage. Additional eating and drinking establishments are regulated to prevent over-
 8 concentration, while ground-story entertainment and financial service uses are monitored in
 9 order to limit the problems of traffic, congestion, noise and late-night activity associated with
 10 such uses and to protect existing neighborhood-serving businesses. Other controls restricting
 11 late-night activity, hotels, automobile uses, and drive-up facilities are designed to preserve the
 12 low-intensity character of the district.

13 Housing development in new buildings is encouraged above the ground story. Existing
 14 residential units are protected by prohibitions of upper-story conversions and limitations on
 15 demolitions. Accessory Dwelling Units are permitted within the district pursuant to Subsection
 16 207(c)(4) of this Code.

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

19 * * * *

No.	Zoning Category	§ References	Outer Clement Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

22 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
717.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area # § 207(c)		

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SPECIFIC PROVISIONS FOR THE OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
<u> §§ 717, 717.91</u>	<u> § 207(c)(4)</u>	<u>ACCESSORY DWELLING UNITS</u> <u>Boundaries: Within the boundaries of the Outer Clement Street NCD.</u> <u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u>

SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Upper Fillmore Street Neighborhood Commercial District is situated in the south-central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to Bush and extends west one block along California and Pine Streets. This medium-scaled, multi-purpose commercial district provides convenience goods to its immediate neighborhood as well as comparison shopping goods and services on a specialized basis to a wider trade area. Commercial businesses are active during both day and evening and include a number of bars, restaurants, specialty groceries, and specialty clothing stores.

1 The Upper Fillmore District controls are designed to protect the existing building scale
 2 and promote new mixed-use development which is in character with adjacent buildings.
 3 Building standards regulate large lot and use development and protect rear yards above the
 4 ground story and at residential levels. Most commercial uses are permitted at the first two
 5 stories of new buildings. Special controls are designed to preserve the existing equilibrium of
 6 neighborhood-serving convenience and specialty commercial uses. In order to maintain
 7 convenience stores and protect adjacent livability, additional bars (unless part of a full-service
 8 restaurant) and formula retail establishments are prohibited, other eating and drinking
 9 establishments and self-service specialty foods require conditional use authorization and
 10 ground-story entertainment and financial service uses are limited. In order to promote
 11 continuous retail frontage, drive-up and most automobile uses are prohibited.

12 Housing development in new buildings is encouraged above the second story. Existing
 13 residential units are protected by limitations on demolitions and upper-story conversions.
 14 Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this
 15 Code.

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

18 * * * *

No.	Zoning Category	§ References	Upper Fillmore Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

19 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	Residential Use	* * * *	* * * *	* * * *	* * * *
718.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

**SPECIFIC PROVISIONS FOR THE UPPER FILLMORE STREET NEIGHBORHOOD
COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
<u>§§ 718, 718.91</u>	<u>§ 207(c)(4)</u>	<p><i><u>ACCESSORY DWELLING UNITS</u></i></p> <p><i><u>Boundaries: Within the boundaries of the Upper Fillmore Street NCD.</u></i></p> <p><i><u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></i></p>

SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Northwest of the City's geographical center, the Haight Street Neighborhood Commercial District is located in the Haight-Ashbury neighborhood, extending along Haight Street between Stanyan and Central Avenue, including a portion of Stanyan Street between Haight and Beulah. The shopping area provides convenience goods and services to local Haight-Ashbury residents, as well as comparison shopping goods and services to a larger market area. The commercial district is also frequented by users of Golden Gate Park on weekends and by City residents for its eating, drinking, and entertainment places. Numerous housing units establish the district's mixed residential-commercial character.

The Haight Street District controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. The

1 building standards regulate large-lot and use development and protect rear yards above the
 2 ground story and at residential levels. To promote the prevailing mixed-use character, most
 3 commercial uses are directed primarily to the ground story with some upper-story restrictions
 4 in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving
 5 commercial uses and regulate the more intensive commercial uses which can generate
 6 congestion and nuisance problems, special controls prohibit additional drinking uses, limit
 7 additional eating establishments, restrict expansion and intensification of existing eating and
 8 drinking establishments, and limit entertainment and tourist hotels. Prohibitions of most
 9 automobile and drive-up uses protect the district's continuous retail frontage.

10 Housing development in new buildings is encouraged above the ground story. Existing
 11 residential units are protected by prohibition of upper-story conversions and limitations on
 12 demolitions. Accessory Dwelling Units are permitted within the district pursuant to Subsection
 13 207(c)(4) of this Code.

14 **Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 15 **ZONING CONTROL TABLE**

16 * * * *

No.	Zoning Category	§ References	Haight Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

18 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
719.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area § 207(c). #		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR THE HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
<u>§§ 719, 719.91</u>	<u>§ 207(c)(4)</u>	<p><i><u>ACCESSORY DWELLING UNITS</u></i></p> <p><i><u>Boundaries: Within the boundaries of the Haight Street NCD.</u></i></p> <p><i><u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></i></p>

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

The Hayes-Gough Neighborhood Commercial Transit District is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern edge generally at Lily Street, with an extension south along both sides of Octavia Boulevard to Market Street. This mixed-use commercial district contains a limited range of retail commercial activity, which primarily caters to the immediate need of the neighborhood. The few comparison goods that it does provide attract clientele from a wider area outside its neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a number of restaurants and art galleries, but other types of retail activity are limited.

The Hayes-Gough District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and use size and require rear yards at residential levels. To maintain the

1 mixed-use character of the district, most commercial uses are permitted at the first and
 2 second stories and housing is strongly encouraged at the third story and above. In order to
 3 encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and
 4 problematic uses, eating and drinking, and entertainment uses are directed to the ground
 5 story. Retail sales activity, especially neighborhood-serving businesses, is further promoted
 6 by restricting new ground-story medical, business and professional offices. To protect
 7 continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking
 8 is required to be setback or below ground, and active, pedestrian-oriented ground floor uses
 9 are required on Hayes Street and portions of Octavia Boulevard.

10 Housing development in new buildings is encouraged above the second story, and is
 11 controlled not by lot area but by physical envelope controls. Existing residential units are
 12 protected by limitations on demolitions, mergers, subdivisions, and upper-story conversions.
 13 Given the area's central location and accessibility to the downtown and to the City's transit
 14 network, accessory parking for residential uses is not required. The code controls for this
 15 district are supported and augmented by design guidelines and policies in the Market and
 16 Octavia Area Plan of the General Plan. Accessory Dwelling Units are permitted within the district
 17 pursuant to Subsection 207(c)(4) of this Code.

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

20 * * * *

No.	Zoning Category	§ References	Hayes-Gough Transit Controls by Story		
		§ 790.118	1st	2nd	3rd+

21 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

1			No residential density limit by lot area.
2			Density restricted by physical envelope
3			controls of height, bulk, setbacks, open
4	720.91 Dwelling Unit Density	§ 207	space, exposure and other applicable
5			controls of this and other Codes, as well
6			as by applicable design guidelines,
7			applicable elements and area plans of
8			the General Plan, and design review by
9			the Planning Department.
10			§§ 207(c) # , 207.6
11	*****	*****	*****

SPECIFIC PROVISIONS FOR THE HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
*****	*****	*****
§§ 720, 720.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <u>Within the boundaries of the Hayes-Gough NCT.</u></p> <p><i>Controls:</i> <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>

SEC. 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Upper Market Street Neighborhood Commercial District, on Market Street at Castro, is situated at the border of the Eureka Valley, Buena Vista, and Duboce Triangle neighborhoods. Upper Market Street is a multi-purpose commercial district that provides

1 limited convenience goods to adjacent neighborhoods, but also serves as a shopping street
2 for a broader trade area. A large number of offices are located on Market Street within easy
3 transit access to downtown. The width of Market Street and its use as a major arterial diminish
4 the perception of the Upper Market Street District as a single commercial district. The street
5 appears as a collection of dispersed centers of commercial activity, concentrated at the
6 intersections of Market Street with secondary streets.

7 This district is well served by transit and is anchored by the Castro Street Station of the
8 Market Street subway and the F-Market historic streetcar line. The F, K, L, and M streetcar
9 lines traverse the district, and the Castro Station serves as a transfer point between light rail
10 and crosstown and neighborhood bus lines. Additionally, Market Street is a primary bicycle
11 corridor. Residential parking is not required and generally limited. Commercial establishments
12 are discouraged or prohibited from building accessory off-street parking in order to preserve
13 the pedestrian-oriented character of the district and prevent attracting auto traffic. There are
14 prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on
15 Market Street to preserve and enhance the pedestrian-oriented character and transit function.

16 The Upper Market Street district controls are designed to promote moderate-scale
17 development which contributes to the definition of Market Street's design and character. They
18 are also intended to preserve the existing mix of commercial uses and maintain the livability of
19 the district and its surrounding residential areas. Large-lot and use development is reviewed
20 for consistency with existing development patterns. Rear yards are protected at residential
21 levels. To promote mixed-use buildings, most commercial uses are permitted with some
22 limitations above the second story. In order to maintain continuous retail frontage and
23 preserve a balanced mix of commercial uses, ground-story neighborhood-serving uses are
24 encouraged, and eating and drinking, entertainment, and financial service uses are limited.
25 Continuous frontage is promoted by prohibitions of most automobile and drive-up uses.

Housing development in new buildings is encouraged above the second story. Existing upper-story residential units are protected by limitations on demolitions and upper-story conversions. Accessory Dwelling Units are permitted within the district ~~on lots within the boundaries of Board of Supervisors District 8~~ pursuant to Subsection 207(c)(4) of this Code.

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

* * * *

SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 721, 721.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Upper Market Street NCD. Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <u>in areas that allow zoned for residential use</u> or within an existing and authorized auxiliary structure on the same lot, <u>provided that it does not eliminate or reduce a ground-story retail or commercial space.</u>

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

SPECIFIC PROVISIONS FOR THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls

1	****	****	****
2	§§ 722, 722.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS
3			Boundaries: Within the boundaries of the North Beach NCD.
4			Controls: An “Accessory Dwelling Unit,” as defined in Section 102
5			and meeting the requirements of Section 207(c)(4), is permitted to be
6			constructed within an existing building <i>in areas that allow zoned for</i>
7			residential use or within an existing and authorized auxiliary structure
8			on the same lot, <i>provided that it does not eliminate or reduce a ground-</i>
9	<i>story retail or commercial space.</i>		
10	****	****	****

11 **SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL .**

12 ****

13
14 **SPECIFIC PROVISIONS FOR THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

15 Article 7 Code Section	16 Other Code Section	Zoning Controls
17 ****	****	****
18	§§ 723, 723.91	ACCESSORY DWELLING UNITS
19		Boundaries: Within the boundaries of the Polk Street NCD.
20		Controls: An “Accessory Dwelling Unit,” as defined in Section 102
21		and meeting the requirements of Section 207(c)(4), is permitted to be
22		constructed within an existing building <i>in areas that allow zoned for</i>
23		residential use or within an existing and authorized auxiliary structure
24		on the same lot, <i>provided that it does not eliminate or reduce a ground-</i>
25	<i>story retail or commercial space.</i>	

1 **SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 Located in the Presidio Heights neighborhood in north-central San Francisco, the
3 Sacramento Street Neighborhood Commercial District functions as a small-scale linear
4 shopping area. It extends along Sacramento Street between Lyon and Spruce. Interspersed
5 among residential buildings and garages, the district's daytime-oriented retail stores provide a
6 limited array of convenience goods to the immediate neighborhood. Sacramento Street also
7 has many elegant clothing, accessory, and antique stores and services, such as hair salons,
8 which attract customers from a wider trade area. Its numerous medical and business offices
9 draw clients from throughout the City. Evening activity in the district is limited to one movie
10 theater, a few restaurants, and some stores near Presidio Avenue.

11 The Sacramento Street District controls are designed to promote adequate growth
12 opportunities for development that is compatible with the surrounding low-density residential
13 neighborhood. The building standards monitor large-scale development and protect rear yards
14 at the grade level and above. Most new commercial development is permitted at the first
15 story; general retail uses are permitted at the second story only if such use would not involve
16 conversion of any existing housing units. Special controls are designed to protect existing
17 neighborhood-serving ground-story retail uses. New medical service uses are prohibited at all
18 stories except a change of use is permitted on the first story or below from a business or
19 professional service use to medical service use under certain circumstances. Personal and
20 business services are restricted at the ground story and prohibited on upper stories. Limits on
21 new ground-story eating and drinking uses, as well as new entertainment and financial service
22 uses, are intended to minimize the environmental impacts generated by the growth of such
23 uses. The daytime orientation of the district is encouraged by prohibiting bars and restricting
24 late-night commercial activity. New hotels and parking facilities are limited in scale and
25

operation to minimize disruption to the neighborhood. Most new automobile and drive-up uses are prohibited to promote continuous retail frontage.

Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and prohibitions of upper-story conversions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Sacramento Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
724.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area § 207(c)#		
****	****	****	****	****	****

SPECIFIC PROVISIONS FOR THE SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 724, 724.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u> Boundaries: <u>Within the boundaries of the Sacramento Street NCD.</u> Controls: <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to</u>

	<p><i>be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Union Street Commercial District is located in northern San Francisco between the Marina and Pacific Heights neighborhoods. The district lies along Union Street between Van Ness Avenue and Steiner, including an arm extending north on Fillmore Street to Lombard. The shopping area provides limited convenience goods for the residents of sections of the Cow Hollow, Golden Gate Valley, and Pacific Heights neighborhoods immediately surrounding the street. Important aspects of Union Street's business activity are eating and drinking establishments and specialty shops whose clientele comes from a wide trade area. There are also a significant number of professional, realty, and business offices. Many restaurants and bars as well as the district's two movie theaters are open into the evening hours, and on weekends the street's clothing, antique stores and galleries do a vigorous business.

The Union Street District controls are designed to provide sufficient growth opportunities for commercial development that is in keeping with the existing scale and character, promote continuous retail frontage, and protect adjacent residential livability. Small-scale buildings and neighborhood-serving uses are promoted, and rear yards above the ground story and at all residential levels are protected. Most commercial development is permitted at the first two stories of new buildings, while retail service uses are monitored at the third story and above. Controls are necessary to preserve the remaining convenience businesses and to reduce the cumulative impacts which the growth of certain uses have on neighborhood residents. Such controls prohibit additional drinking establishments and limit additional eating establishments,

entertainment, and financial service uses. Most automobile and drive-up uses are prohibited in order to maintain continuous retail frontage and minimize further traffic congestion. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

No.	Zoning Category	§ References	Union Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

* * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
725.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area § 207(c)#		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR THE UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 725, 725.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p>Boundaries: <u>Within the boundaries of the Union Street NCD.</u></p> <p>Controls: <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow</u></p>

		<i>residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i>
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SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

SPECIFIC PROVISIONS FOR THE VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 726, 726.91	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: <i>Within the boundaries of the Valencia Street NCT Board of Supervisors District 8 extant on July 1, 2015.</i></p> <p>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space..</i></p>

SEC. 727. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The 24th Street – Mission Neighborhood Commercial Transit District is situated in the Inner Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-use district provides convenience goods to its immediate neighborhood as well as comparison shopping goods and services to a wider trade area. The street has a great

1 number of Latin American restaurants, grocery stores, and bakeries as well as other gift and
2 secondhand stores. Most commercial businesses are open during the day while the district's
3 bars and restaurants are also active in the evening. Dwelling units are frequently located
4 above the ground-story commercial uses.

5 The 24th Street – Mission Neighborhood Commercial Transit District controls are designed to
6 provide potential for new development consistent with the existing scale and character. Small-
7 scale buildings and neighborhood-serving uses are encouraged, and rear yard corridors
8 above the ground story and at residential levels are protected. Most commercial uses are
9 encouraged at the ground story, while service uses are permitted with some limitations at the
10 second story. Special controls are necessary to preserve the unique mix of convenience and
11 specialty commercial uses. In order to maintain convenience stores and protect adjacent
12 livability, new bars and fast-food restaurants are prohibited, and limitations apply to the
13 development and operation of ground-story full-service restaurants, take-out food and
14 entertainment uses. Continuous retail frontage is maintained and encouraged by prohibiting
15 most automobile and drive-up uses, banning curb cuts, and requiring active, pedestrian-
16 oriented ground floor uses. Parking is not required, and any new parking required to be set
17 back or below ground.

18 Housing development in new buildings is encouraged above the ground story. Housing
19 density is not controlled by the size of the lot but by requirements to supply a high percentage
20 of larger units and by physical envelope controls. Existing housing units are protected by
21 prohibitions on upper-story conversions and limitations on demolitions, mergers, and
22 subdivisions. Given the area's central location and accessibility to the City's transit network,
23 accessory parking for residential uses is not required. Accessory Dwelling Units are permitted on
24 within the district pursuant to Subsection 207(c)(4) of this Code.

25

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

* * * *

No.	Zoning Category	§ References	24th Street – Mission Transit Controls by Story		
		§ 790.118	1st	2nd	3rd+

* * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
727.91	Dwelling Unit Density	§ 207	No density limit # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR THE 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§727, 727.91	§ 207(c)(4)	<p style="text-align: center;"><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the 24th Street Mission NCT.</i></p> <p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

1 **SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 * * * *

3 **SPECIFIC PROVISIONS FOR THE 24TH STREET – NOE VALLEY**
 4 **NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 728, 728.91	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: Within the boundaries of the 24th Street – Noe Valley NCD <i>Board of Supervisors District 8 extant on July 1, 2015.</i></p> <p>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, <u>provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>

17 **SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.**

18 Located in the southwestern part of the City, the West Portal Avenue Neighborhood
 19 Commercial District stretches for three long blocks along West Portal Avenue from Ulloa
 20 Street to 15th Avenue and extends one block east along Ulloa Street from the Twin Peaks
 21 Tunnel entrance to Claremont Boulevard. West Portal Avenue provides a selection of goods
 22 and services for customers coming mainly from the surrounding west of Twin Peaks and
 23 Sunset single-family residential neighborhoods. The lively, small-scale retail frontage is
 24 interrupted at several locations by large-scale financial institutions which take up a large
 25 amount of commercial ground-story frontage. More than half of the number of medical,

1 professional and business offices are located at the ground level. Except for one three-movie
2 theater complex, West Portal offers no entertainment uses and its restaurants are mainly
3 family-oriented.

4 The West Portal Avenue District controls are designed to preserve the existing family-
5 oriented, village character of West Portal Avenue. The building standards limit building heights
6 to 26 feet and two stories and maintain the existing pattern of rear yards at the ground level
7 and above. The height, bulk and design of new development, especially on large lots, should
8 respect the small-scale character of the district and its surrounding residential neighborhoods.
9 Lot mergers creating large lots are discouraged. Individual nonresidential uses require
10 conditional use permits above 2,500 square feet and are restricted to 4,000 square feet as an
11 absolute limit to conform with the existing small use sizes in the district.

12 Special controls on commercial uses are designed to protect the existing mix of
13 ground-story retail uses and prevent further intensification and congestion in the district. No
14 new financial services are permitted. Because the district and surrounding neighborhoods are
15 well served by the existing number of eating and drinking establishments, new bars,
16 restaurants and take-out food generally are discouraged: any proposed new establishment
17 should be carefully reviewed to ensure that it is neighborhood-serving and family-oriented,
18 and will not involve high-volume take-out food or generate traffic, parking, or litter problems.
19 Medical, business or professional services are permitted at the first two stories, but additional
20 ground-story locations are to be closely monitored to ensure that the current balance between
21 retail and office uses is maintained. Existing service stations are encouraged to continue
22 operating, but changes in their size, operation, or location are subject to review. Other
23 automotive uses are prohibited. The neighborhood-oriented, retail character of the district is
24 further protected by prohibiting hotels and nonretail uses. The daytime orientation of the
25

1 district is maintained by prohibitions of entertainment uses and late-night commercial
 2 operating hours.

3 Housing development is limited. Existing residential units are protected by
 4 limitations on demolition and prohibition of upper-story conversions; new construction is to be
 5 carefully reviewed to ensure appropriate scale, design and compatibility with adjacent
 6 development. Accessory Dwelling Units are permitted within the district pursuant to Subsection
 7 207(c)(4) of this Code.

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

10 * * * *

No.	Zoning Category	§ References	West Portal Avenue Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

13 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
729.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

19 **SPECIFIC PROVISIONS FOR THE WEST PORTAL AVENUE NEIGHBORHOOD**
 20 **COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 729, 729.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u>

	<p><u>Boundaries: Within the boundaries of the West Portal Avenue NCD.</u></p> <p><u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>
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SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Sunset Neighborhood Commercial District is located in the Inner Sunset neighborhood, consisting of the NC-2 district bounded by Lincoln Way on the north, Fifth Avenue on the east, Kirkham Street on the south, and Nineteenth Avenue on the west. The shopping area provides convenience goods and services to local Inner Sunset residents, as well as comparison shopping goods and services to a larger market area. The commercial district is also frequented by users of Golden Gate Park on weekends and by City residents for its eating, drinking, and entertainment places. Numerous housing units establish the district's mixed residential-commercial character.

The Inner Sunset District controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. The building standards regulate large-lot and use development and protect rear yards above the ground story and at residential levels. To promote the prevailing mixed use character, most commercial uses are directed primarily to the ground story with some upper-story restrictions in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving commercial uses and regulate the more intensive commercial uses which can generate congestion and nuisance problems, special controls prohibit additional eating and drinking

uses, restrict expansion and intensification of existing eating and drinking establishments, and limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses protect the district's continuous retail frontage.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by prohibition of upper-story conversions and limitations on demolitions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

No.	Zoning Category	§ References	Inner Sunset Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

* * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
730.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR THE INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
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§§ 730, 730.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u> <u>Boundaries: Within the boundaries of the Inner Sunset NCD.</u>

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		<p>Controls: <i>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 731. NCT-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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SPECIFIC PROVISIONS FOR THE NCT-3 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
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<p>§§ 731, 731.91</p>	<p>§ 207(c)(4)</p>	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: <i>Within the boundaries of the NCT-3 Districts Board of Supervisors District 8 extant on July 1, 2015.</i></p> <p>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

1 **SEC. 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.**

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3 **SPECIFIC PROVISIONS FOR THE PACIFIC AVENUE**
 4 **NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
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§§ 732, 732.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Pacific Avenue NCD. Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for residential use</i> or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i>

16 **SEC. 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 17 **DISTRICT.**

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19 **SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET**
 20 **NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
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§§ 733, 733.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS

	<p>Boundaries: <i>Board of Supervisors District 8 extant on July 1, 2015</i> Within <u>the boundaries of the Upper Market Street NCT.</u></p> <p>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <u>in areas that allow zoned for residential use</u> or within an existing and authorized auxiliary structure on the same lot, <u>provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>
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SEC. 733A. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NCT-1 Districts are located near major transit services. They are small mixed-use clusters, generally surrounded by residential districts, with small-scale neighborhood-serving commercial uses on lower floors and housing above. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on critical stretches of commercial and transit street frontages to preserve and enhance the pedestrian-oriented character and transit function. Residential parking is not required and generally limited. Commercial establishments are discouraged from building excessive accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic.

NCT-1 Districts are generally characterized by their location in residential neighborhoods. The commercial intensity of these districts varies. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small

1 clusters with three or more commercial establishments, commonly grouped around a corner;
 2 and in some cases short linear commercial strips with low-scale, interspersed mixed-use
 3 (residential-commercial) development. Building controls for the NCT-1 District promote low-
 4 intensity development which is compatible with the existing scale and character of these
 5 neighborhood areas. Commercial development is limited to one story. Rear yard requirements
 6 at all levels preserve existing backyard space.

7 NCT-1 commercial use provisions encourage the full range of neighborhood-serving
 8 convenience retail sales and services at the first story provided that the use size generally is
 9 limited to 3,000 square feet. However, commercial uses and features which could impact
 10 residential livability are prohibited, such as auto uses, financial services, general advertising
 11 signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are
 12 restricted, depending upon the intensity of such uses in nearby commercial districts.

13 Existing residential units are protected by prohibitions of conversions above the
 14 ground story and limitations on demolitions. Accessory Dwelling Units are permitted within the
 15 district pursuant to Subsection 207(c)(4) of this Code.

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

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No.	Zoning Category	§ References	NCT-1 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

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RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
733A.91	Dwelling Unit Density	§ 207	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and		

			other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c)#, 207.6
****	****	****	****

SPECIFIC PROVISIONS FOR THE NCT-1 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 733A, 733A.91	§ 207(c)(4)	<p align="center"><u>ACCESSORY DWELLING UNITS</u></p> <p align="center"><i>Boundaries: Within the boundaries of the NCT-1 Districts.</i></p> <p align="center"><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

SEC. 734. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

NCT-2 Districts are transit-oriented mixed-use neighborhoods with small scale commercial uses near transit services. The NCT-2 Districts are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These Districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The District's form is generally linear along

1 transit-priority corridors, though may be concentric around transit stations or in broader areas
2 where multiple transit services criss-cross the neighborhood. Housing density is limited not by
3 lot area, but by the regulations on the built envelope of buildings, including height, bulk,
4 setbacks, and lot coverage, and standards for residential uses, including open space and
5 exposure, and urban design guidelines. There are prohibitions on access (e.g., driveways,
6 garage entries) to off-street parking and loading on critical stretches of commercial and transit
7 street frontages to preserve and enhance the pedestrian-oriented character and transit
8 function. Residential parking is not required and generally limited. Commercial establishments
9 are discouraged from building excessive accessory off-street parking in order to preserve the
10 pedestrian-oriented character of the district and prevent attracting auto traffic.

11 NCT-2 Districts are intended to provide convenience goods and services to the
12 surrounding neighborhoods as well as limited comparison shopping goods for a wider market.
13 The range of comparison goods and services offered is varied and often includes specialty
14 retail stores, restaurants, and neighborhood-serving offices. The small-scale district controls
15 provide for mixed-use buildings, which approximate or slightly exceed the standard
16 development pattern. Rear yard requirements above the ground story and at residential levels
17 preserve open space corridors of interior blocks.

18 Most new commercial development is permitted at the ground and second stories.
19 Neighborhood-serving businesses are strongly encouraged. Eating and drinking and
20 entertainment uses, however, are confined to the ground story. The second story may be
21 used by some retail stores, personal services, and medical, business and professional offices.
22 Parking and hotels are monitored at all stories. Limits on late-night activity, drive-up facilities,
23 and other automobile uses protect the livability within and around the district, and promote
24 continuous retail frontage.

25

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

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

No.	Zoning Category	§ References	NCT-2 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
734.91	Dwelling Unit Density	§ 207	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c)#, 207.6		
****	****	****	****	****	****

SPECIFIC PROVISIONS FOR THE NCT-2 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 734, 734.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u> Boundaries: <i>Within the boundaries of the NCT-2 Districts.</i>

	<p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The SoMa Neighborhood Commercial Transit District (SoMa NCT) is located along the 6th Street and Folsom Street corridors in the South of Market. The commercial area provides a limited selection of convenience goods for the residents of the South of Market. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours. A number of upper-story professional and business offices are located in the district, some in converted residential units.

The SoMa NCT has a pattern of ground floor commercial and upper story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. Active, neighborhood-serving commercial development is required at the ground story, curb cuts are prohibited and ground floor transparency and fenestration adds to the activation of the ground story. While offices and general retail sales uses may locate on the second story or above of new buildings, most commercial uses are prohibited above the second story. In order to protect the balance and variety of retail use, bars and liquor stores are allowed with a conditional use. Continuous retail frontage is promoted by prohibiting drive-up facilities, some automobile uses, and new non-retail commercial uses. Above-ground parking is required to be setback or below ground. Active, pedestrian-oriented ground floor uses are required.

Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot or by density controls, but by bedroom counts. Given the area's central location and accessibility to the City's transit network, parking for residential and commercial uses is not required. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	SoMa Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
*****	*****	*****	*****	*****	*****
735.91	Dwelling Unit Density	§ 207	No density limit by. §§ 207(c) # .		
*****	*****	*****	*****		

SPECIFIC PROVISIONS FOR THE SOMA NCT DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
*****	*****	*****
§§ 735, 735.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p>Boundaries: <u>Within the boundaries of the SoMa NCT District.</u></p> <p>Controls: <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary</u></p>

		<p><i>structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 736. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Mission Street Commercial Transit District is located near the center of San Francisco in the Mission District. It lies along Mission Street between 15th and Cesar Chavez (Army) Street, and includes adjacent portions of 17th Street, 21st Street, 22nd Street, and Cesar Chavez Street. The commercial area of this District provides a selection of goods serving the day-to-day needs of the residents of the Mission District. Additionally, this District serves a wider trade area with its specialized retail outlets. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours.

The District is extremely well-served by transit, including regional-serving BART stations at 16th Street and 24th Street, major buses running along Mission Street, and both cross-town and local-serving buses intersecting Mission along the length of this district. Given the area's central location and accessibility to the City's transit network, accessory parking for residential uses is not required. Any new parking is required to be set back or be below ground.

This District has a mixed pattern of larger and smaller lots and businesses, as well as a sizable number of upper-story residential units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving commercial development is encouraged mainly at the ground story. While offices and general retail sales uses may locate at the second story of new buildings under certain circumstances, most commercial uses are prohibited above the second story. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts. Housing development in new buildings is encouraged above the ground story. Housing density is not controlled by the size of the lot but

1 by requirements to supply a high percentage of larger units and by physical envelope controls.
 2 Existing residential units are protected by prohibitions on upper-story conversions and
 3 limitations on demolitions, mergers, and subdivisions. Accessory Dwelling Units are permitted
 4 within the district pursuant to Subsection 207(c)(4) of this Code.

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

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No.	Zoning Category	§ References	Mission Street Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

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10 **RESIDENTIAL STANDARDS AND USES**

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736.91	Dwelling Unit Density	§ 207	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c)#, 207.6		
* * * * *	* * * * *	* * * * *	* * * * *		

19 **SPECIFIC PROVISIONS FOR THE MISSION NCT DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * * *	* * * * *	* * * * *
§§ 736, 736.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u> Boundaries: <i>Within the boundaries of the Mission NCT District..</i>

		<p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 737. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Ocean Avenue Neighborhood Commercial Transit District is located on Ocean Avenue from Howth Street to Manor Drive. Ocean Avenue is a multi-purpose transit-oriented small-scale commercial district that is modeled on the NCT-2 District. Ocean Avenue was developed as a streetcar-oriented commercial district in the 1920s and continues to serve this function, with the K-line streetcar on Ocean Avenue. Numerous other bus lines serve the area, especially the eastern end, where the Phelan Loop serves as a major bus terminus. The eastern end of the district is anchored by the main City College campus and direct linkages to the Balboa Park BART/MUNI rail station a couple blocks to the east, which serves as the southernmost San Francisco station for BART and the terminus of the J, K, and M streetcar lines. Because of the immediate proximity of the BART/MUNI station the district has quick and easy transit access to downtown.

The Ocean Avenue NCT District is mixed use, transitioning from a predominantly one- and two-story retail district to include neighborhood-serving commercial uses on lower floors and housing above. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Access (i.e. driveways, garage entries) to off-street parking and loading is generally prohibited on

Ocean Avenue to preserve and enhance the pedestrian-oriented character and transit function of the street. Residential and commercial parking are not required.

The Ocean Avenue NCT District is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. Buildings may range in height, with height limits generally allowing up to four or five stories. Lots are generally small to medium in size and lot consolidation is prohibited to preserve the fine grain character of the district, unless the consolidation creates a corner parcel that enables off-street parking to be accessed from a side street.

Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks.

Commercial uses are required at the ground level and permitted at the second story.

Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions.

Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

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

No.	Zoning Category	§ References	Ocean Avenue Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
737.91	Dwelling Unit Density	§ 207	No residential density limit by lot area. Density restricted by physical envelope		

			controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c) # , 207.6
*****	*****	*****	*****

SPECIFIC PROVISIONS FOR THE OCEAN AVENUE NCT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
*****	*****	*****
§§ 737, 737.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries: Within the boundaries of the Ocean Avenue NCT District..</i></p> <p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

SEC. 738. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

SPECIFIC PROVISIONS FOR GLEN PARK NCT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
*****	*****	*****

<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>§§ 738, 738.91</p>	<p>§ 207(c)(4)</p>	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: <i>Within the boundaries of the Glen Park NCT Board of Supervisors District 8 extant on July 1, 2015.</i></p> <p>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building <i>in areas that allow zoned for residential use</i> or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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7 **SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

8 The Noriega Street Neighborhood Commercial District is located in the Outer Sunset
9 neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both
10 sides of Noriega Street between 19th and 27th and 30th through 33rd Avenues.

11 The District provides a selection of convenience goods and services for the residents of
12 the Outer Sunset District. There are a high concentration of restaurants, drawing customers
13 from throughout the City and the region. There are also a significant number of professional,
14 realty, and business offices as well as financial institutions.

15 The Noriega Street Neighborhood Commercial District controls are designed to
16 promote development that is consistent with its existing land use patterns and to maintain a
17 harmony of uses that support the District's vitality. The building standards allow small-scale
18 buildings and uses, protecting rear yards above the ground story and at residential levels. In
19 new development, most commercial uses are permitted at the first two stories, although
20 certain limitations apply to uses at the second story. Special controls are necessary to
21 preserve the equilibrium of neighborhood-serving convenience and comparison shopping
22 businesses and to protect adjacent residential livability. To protect continuous frontage, drive-
23 up uses are prohibited and active, pedestrian-oriented ground floor uses generally must be
24 provided, unless such uses are authorized by Conditional Use. These controls are designed
25 to encourage the street's active retail frontage, and local fabrication and production of goods.

1 Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of
 2 this Code.

3 **Table 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 4 **ZONING CONTROL TABLE**

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No.	Zoning Category	§ References	Noriega Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

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RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
739.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
* * * *	* * * *	* * * *	* * * *		

12 **SPECIFIC PROVISIONS FOR THE NORIEGA STREET NEIGHBORHOOD COMMERCIAL**
 13 **DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 739, 739.91	§ 207(c)(4)	<p><i><u>ACCESSORY DWELLING UNITS</u></i></p> <p><i><u>Boundaries: Within the boundaries of the Noriega Street NCD.</u></i></p> <p><i><u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></i></p>

SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Irving Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Irving Street between 19th and 27th Avenues. The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions.

The Irving Street Neighborhood Commercial District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that support the District’s vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. In new development, most commercial uses are permitted at the first two stories, although certain limitations apply to uses at the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and comparison shopping businesses and to protect adjacent residential livability. These controls are designed to encourage the street’s active retail frontage, and local fabrication and production of goods.

Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

**Table 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Irving Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

RESIDENTIAL STANDARDS AND USES

****	****	****	****	****	****
740.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
****	****	****	****		

SPECIFIC PROVISIONS FOR THE IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 740, 740.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <i>Within the boundaries of the Irving Street NCD.</i></p> <p><i>Controls:</i> <i>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Taraval Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Taraval Street from 19th through 36th Avenues. The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions.

The Taraval Street Neighborhood Commercial District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that support the District's vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. In new development, most commercial uses are permitted at the first two stories, although certain limitations apply to uses at the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and comparison shopping businesses and to protect adjacent residential livability. These controls are designed to encourage the street's active retail frontage, and local fabrication and production of goods.

Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

**Table 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Taraval Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
741.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
****	****	****	****		

SPECIFIC PROVISIONS FOR THE TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****

<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>§§ 741, 741.91</p>	<p>§ 207(c)(4)</p>	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><u>Boundaries: Within the boundaries of the Taraval Street NCD.</u></p> <p><u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102</u></p> <p><u>and meeting the requirements of Section 207(c)(4), is permitted to</u></p> <p><u>be constructed within an existing building in areas that allow</u></p> <p><u>residential use or within an existing and authorized auxiliary</u></p> <p><u>structure on the same lot, provided that it does not eliminate or</u></p> <p><u>reduce a ground-story retail or commercial space.</u></p>
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9 **SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

10 The Judah Street Neighborhood Commercial District is located in the Outer Sunset
 11 neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both
 12 sides of Judah Street from 29th through 33rd Avenues. The District provides a selection of
 13 convenience goods and services for the residents of the Outer Sunset District. There are a
 14 high concentration of restaurants, drawing customers from throughout the City and the region.
 15 There are also a significant number of professional, realty, and business offices as well as
 16 financial institutions.

17 The Judah Street Neighborhood Commercial District controls are designed to promote
 18 development that is consistent with its existing land use patterns and to maintain a harmony of
 19 uses that support the District’s vitality. The building standards allow small-scale buildings and
 20 uses, protecting rear yards above the ground story and at residential levels. In new
 21 development. most commercial uses are permitted at the first two stories, although certain
 22 limitations apply to uses at the second story. Special controls are necessary to preserve the
 23 equilibrium of neighborhood-serving convenience and comparison shopping businesses and
 24 to protect adjacent residential livability. These controls are designed to encourage the street’s
 25 active retail frontage, and local fabrication and production of goods.

1 Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of
 2 this Code.

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

No.	Zoning Category	§ References	Judah Street Controls by Story		
		§ 790.118	1st	2nd	3rd+

RESIDENTIAL STANDARDS AND USES					
*****	*****	*****	*****	*****	*****
742.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 800 sq. ft. lot area # § 207(c)		
*****	*****	*****	*****		

12 **SPECIFIC PROVISIONS FOR THE JUDAH STREET NEIGHBORHOOD COMMERCIAL**
 13 **DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
*****	*****	*****
§§ 742, 742.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p>Boundaries: <i>Within the boundaries of the Judah Street NCD.</i></p> <p>Controls: <i>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

1 **SEC. 743. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

2 The Folsom Street Neighborhood Commercial Transit District (Folsom Street NCT) is
3 located along Folsom Street in the Western SoMa area, generally between 7th Street and
4 10th Streets.

5 The Folsom Street NCT has a pattern of ground floor commercial and upper story
6 residential units. Controls are designed to permit moderate-scale buildings and uses,
7 protecting rear yards above the ground story and at residential levels. Active, neighborhood-
8 serving commercial development is required at the ground story where transparency and
9 fenestration requirements add to the activation at the street level. While offices and general
10 retail sales uses may locate on the second story, most commercial uses are prohibited above
11 the second story. In order to protect the balance and variety of retail use, bars and restaurants
12 are permitted on the ground floor, and liquor stores are allowed with a conditional use.
13 Continuous non-residential frontage is promoted by prohibiting drive-up facilities, some
14 automobile uses, and permitting a mix of commercial and production, distribution, and repair
15 uses. Parking is required to be setback if above grade or locate below ground. Active,
16 pedestrian-oriented ground floor uses are required.

17 Housing development in new buildings is encouraged above the ground story, and
18 student housing is only permitted in newly constructed buildings. Housing density is not
19 controlled by the size of the lot or by density controls, but by bedroom counts. Given the
20 area's central location and accessibility to the City's transit network, parking for residential and
21 commercial uses is not required. Accessory Dwelling Units are permitted within the district
22 pursuant to Subsection 207(c)(4) of this Code.

1 **Table 743. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 2 **DISTRICT ZONING CONTROL TABLE**

3 * * * *

No.	Zoning Category	§ References	Folsom Street Transit Controls by Story		
		§ 790.118	1st	2nd	3rd+

5 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
743.91	Dwelling Unit Density	§ 207	No density limit.# § 207(c)		
* * * *	* * * *	* * * *	* * * *		

10 **SPECIFIC PROVISIONS FOR THE FOLSOM STREET NEIGHBORHOOD COMMERCIAL**
 11 **TRANSIT DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 743, 743.91	§ 207(c)(4)	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the Folsom Street NCT.</i></p> <p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>

22 **SEC. 744. REGIONAL COMMERCIAL DISTRICT.**

23 The Regional Commercial District (RCD) is located along the 9th Street and 10th Street
 24 corridors, generally running from Mission Street to Harrison Street, and provides for a wide
 25 variety of commercial uses and services to a population greater than the immediate

1 neighborhood. While providing convenience goods and services to the surrounding
 2 neighborhood, the RCD corridors are also heavily trafficked thoroughfares into and out of the
 3 City that serve shoppers from other neighborhoods and cities.

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

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

12 Housing development is encouraged at the second story and above, and permitted on
 13 the ground floor on smaller lots. Student housing is not permitted, and existing residential
 14 units are protected by limitations on demolitions and conversions. Accessory Dwelling Units are
 15 permitted within the district pursuant to Subsection 207(c)(4) of this Code.

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

17 * * * *

No.	Zoning Category	§ References	Regional Commercial Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

18 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
744.91	Dwelling Unit Density	§ 207	No density limit.# § 207(c)		
* * * *	* * * *	* * * *	* * * *		

SPECIFIC PROVISIONS FOR THE REGIONAL COMMERCIAL DISTRICT

<u>Article 7 Code Section</u>	<u>Other Code Section</u>	<u>Zoning Controls</u>
§§ 744, 744.91	§ 207(c)(4)	<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <u>Within the boundaries of the Regional Commercial District.</u></p> <p><i>Controls:</i> <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>

SEC. 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Excelsior Outer Mission Street Neighborhood Commercial District is located along Mission Street between Alemany Boulevard and the San Francisco-San Mateo county line. Outer Mission Street is mixed use, combining street-fronting retail businesses on the ground floor and housing on upper floors. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. The area is transit-oriented and the commercial uses serve residents of the area as well as residents and visitors from adjacent and other neighborhoods.

The Excelsior Outer Mission Street Neighborhood Commercial District is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on

demolitions and upper-story conversions. Parking for residential and commercial uses is not required. Buildings range in height, with height limits generally allowing up to four stories. Lots vary in size, generally small- or medium-sized with some very large parcels. *Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.*

Table 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Excelsior Outer Mission Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
745.91	Dwelling Unit Density	§ 207	Generally, up to 1 unit per 600 sq. ft. lot area # § 207(c)		
****	****	****	****		

SPECIFIC PROVISIONS FOR THE EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 745, 745.91	§ 207(c)(4)	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the Excelsior Outer Mission Street NCD.</i></p> <p><i>Controls: An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary</i></p>

		<p><i>structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 746. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Divisadero Street Neighborhood Commercial Transit District ("Divisadero Street NCT") extends along Divisadero Street between Haight and O'Farrell Streets. Divisadero Street's dense mixed-use character consists of buildings with residential units above ground-story commercial use. Buildings typically range in height from two to four stories with occasional one-story commercial buildings. The district has an active and continuous commercial frontage along Divisadero Street for most of its length. Divisadero Street is an important public transit corridor and throughway street. The commercial district provides convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

The Divisadero Street NCT controls are designed to encourage and promote development that enhances the walkable, mixed-use character of the corridor and surrounding neighborhoods. Rear yard requirements above the ground story and at residential levels preserve open space corridors of interior blocks. Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Consistent with Divisadero Street's existing mixed-use character, new commercial development is permitted at the ground and second stories. Most neighborhood-serving businesses are strongly encouraged. Controls on new Formula Retail uses are consistent with Citywide policy for Neighborhood Commercial Districts; Eating and Drinking and Entertainment uses are confined to the ground story. The second story may be used by some retail stores, personal services, and medical, business and professional offices. Additional

flexibility is offered for second-floor Eating and Drinking, Entertainment, and Trade Shop uses in existing non-residential buildings to encourage the preservation and reuse of such buildings. Hotels are monitored at all stories. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous retail frontage.

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

No.	Zoning Category	§ References	Divisadero Street <i>Transit</i> Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

RESIDENTIAL STANDARDS AND USES					
****	****	****	****	****	****
746.91	<i>Residential Density, Dwelling Units Density</i>	§§ 207, 207.1, 207.4, 790.88(a)	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c)# , 207.4, 207.6		
****	****	****	****		

SPECIFIC PROVISIONS FOR THE DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
****	****	****
§§ 746, 746.91	§ 207(c)(4)	<i>ACCESSORY DWELLING UNITS</i>

	<p><u>Boundaries:</u> <i>Within the boundaries of the Divisadero Street NCT.</i></p> <p><u>Controls:</u> <i>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i></p>
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SEC. 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

The Fillmore Street Neighborhood Commercial Transit District ("Fillmore Street NCT") extends along Fillmore Street between Bush and McAllister Streets. Fillmore Street's dense mixed-use character consists of buildings with residential units above ground-story commercial use. Buildings range in height from one-story commercial buildings to high-rise towers. Fillmore Street and Geary Boulevard are important public transit corridors. The commercial district provides convenience goods and services to the surrounding neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from near and far.

The Fillmore Street NCT controls are designed to encourage and promote development that enhances the walkable, mixed-use character of the corridor and surrounding neighborhoods. Rear yard requirements at residential levels preserve open space corridors of interior blocks. Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by limitations on demolition and upper-story conversions. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Consistent with Fillmore Street's existing mixed-use character, new commercial development is permitted at the ground and second stories. Most neighborhood- and visitor-

1 serving businesses are strongly encouraged. Controls on new Formula Retail uses are
 2 consistent with Citywide policy for Neighborhood Commercial Districts; Eating and Drinking
 3 and entertainment uses are confined to the ground story. The second story may be used by
 4 some retail stores, personal services, and medical, business, and professional offices.
 5 Parking and hotels are monitored at all stories. Limits on drive-up facilities and other
 6 automobile uses protect the livability within and around the district and promote continuous
 7 retail frontage.

8 **Table 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 9 **DISTRICT ZONING CONTROL TABLE**

10 * * * *

No.	Zoning Category	§ References	Fillmore Street Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

11 * * * *

RESIDENTIAL STANDARDS AND USES					
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
747.91	<i>Residential Density,</i> <i>Dwelling <u>Units Density</u></i>	§§ 207, 207.1, 207.4, 790.88(a)	No residential density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. §§ 207(c)# , 207.4, 207.6		
* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

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13 **SPECIFIC PROVISIONS FOR THE FILLMORE STREET NEIGHBORHOOD COMMERCIAL**
 14 **TRANSIT DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls

* * * *	* * * *	* * * *
§§ 747, 747.91	§ 207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <u>Within the boundaries of the Fillmore Street NCT.</u></p> <p><i>Controls:</i> <u>An “Accessory Dwelling Unit,” as defined in Section 102 and meeting the requirements of Section 207(c)(4), is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u></p>

SEC. 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.

The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to Laguna Street, and Buchanan Street from Post Street to midway between Sutter Street and Bush Street. The character of these streets is largely commercial, including large malls, although there are some residential units above the ground story. Buildings are typically two- to four-stories, although there are two taller hotels. Geary Boulevard, Fillmore Street, and Sutter Street are important public transit corridors. The commercial district provides convenience goods and services to the surrounding neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from near and far.

The Japantown Neighborhood Commercial District controls are designed to encourage and promote development that enhances the walkable, commercial character of this area and to support its local and regional role. New commercial development is required on the ground floor and permitted above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating, drinking, and retail uses, as long as they do not create a nuisance. Less active commercial uses are encouraged above the ground floor,

1 along with housing and institutional uses. Accessory Dwelling Units are permitted within the
 2 district pursuant to Subsection 207(c)(4) of this Code.

3

4 **Table 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT**
ZONING CONTROL TABLE

No.	Zoning Category	§ References	Japantown Controls by Story		
			1st	2nd	3rd+
		§ 790.118			

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8 * * * *

9 **RESIDENTIAL STANDARDS AND USES**

* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
748.91	<u>Residential Density,</u> <u>Dwelling Units Density</u>	§§ 207, 207.1, <u>207.4, 790.88(a)</u>	Generally, 1 unit per 400 sq. ft. lot area §§ 207(c)#, 207.4, 207.6		
* * * *	* * * *	* * * *	* * * *		

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12
13 **SPECIFIC PROVISIONS FOR THE JAPANTOWN**
NEIGHBORHOOD COMMERCIAL DISTRICT

14

Article 7 Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 748, 748.91	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u> <u>Boundaries: Within the boundaries of the Japantown NCT.</u> <u>Controls: An “Accessory Dwelling Unit,” as defined in Section 102</u> <u>and meeting the requirements of Section 207(c)(4), is permitted to</u> <u>be constructed within an existing building in areas that allow</u> <u>residential use or within an existing and authorized auxiliary</u> <u>structure on the same lot, provided that it does not eliminate or</u> <u>reduce a ground-story retail or commercial space.</u>

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

2 * * * *

SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS DISTRICT		
Section		Zoning Controls
* * * *	* * * *	* * * *
§§ 810, § 810.91	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: Within the boundaries of the Chinatown Community Business District.</p> <p>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i> -</p>
* * * *	* * * *	* * * *

16 **SEC. 811. CHINATOWN VISITOR RETAIL DISTRICT.**

17 * * * *

SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT		
Section		Zoning Controls
* * * *	* * * *	* * * *
§§ 811, § 811.91	§ 207(c)(4)	<p>ACCESSORY DWELLING UNITS</p> <p>Boundaries: Within the boundaries of the Chinatown Visitor Retail District.</p> <p>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be</p>

		constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i> .
* * * *	* * * *	* * * *

SEC. 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.

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SPECIFIC PROVISIONS FOR CHINATOWN RESIDENTIAL NEIGHBORHOOD DISTRICT		
Section	Zoning Controls	
* * * *	* * * *	* * * *
§§ 812, § 812.91	§ 207(c)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Chinatown Residential Neighborhood District. Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building <i>in areas that allow zoned for</i> residential use or within an existing and authorized auxiliary structure on the same lot, <i>provided that it does not eliminate or reduce a ground-story retail or commercial space.</i> .
* * * *	* * * *	* * * *

SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.

Residential Enclave Districts (RED) encompass many of the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side

1 streets of the South of Market area. Within these predominantly residential enclaves lie a
 2 number of vacant parcels, parking lots and other properties in open storage use. These
 3 properties are undeveloped or underdeveloped and are viewed as opportunity sites for new,
 4 moderate-income, in-fill housing.

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

9 Dwelling units are permitted as a principal use. Nonresidential uses, except art related
 10 activities, are not permitted, except for certain uses in historic buildings. Existing commercial
 11 activities in nonresidential structures may continue as nonconforming uses subject to the
 12 termination requirements of Sections 185 and 186. Accessory Dwelling Units are permitted within
 13 the district pursuant to Subsection 207(c)(4) of this Code.

Table 813			
RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave Controls

* * * *

USE STANDARDS			
813.03	Residential Density	§§ 124(b), 208	No density limit #
* * * *	* * * *	§§ 102.9, 123, 124, 127	Generally, 1.0 to 1 floor area ratio

* * * *

<u>SPECIFIC PROVISIONS FOR THE RESIDENTIAL ENCLAVE DISTRICT</u>			
<u>Section</u>		<u>Zoning Controls</u>	
§§ 813, 813.03	§ 207(c)(4)	<u>ACCESSORY DWELLING UNITS</u>	
		<u>Boundaries: Within the boundaries of the Residential Enclave District.</u>	

		<p>Controls: <i>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot. .</i></p>
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SEC. 814. SPD – SOUTH PARK DISTRICT.

South Park is an attractive affordable mixed-use neighborhood. The South Park District (SPD) is intended to preserve the scale, density and mix of commercial and residential activities within this unique neighborhood. The district is characterized by small-scale, continuous-frontage warehouse, retail and residential structures built in a ring around an oval-shaped, grassy park. Retention of the existing structures is encouraged, as is a continued mix of uses, family-sized housing units, and in-fill development which contributes positively to the neighborhood scale and use mix. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Most retail, general commercial, office, service/light industrial, arts, live/work and residential activities are permitted. Group housing, social services, and other institutional uses are conditional uses. Hotels, motels, movie theaters, adult entertainment and nighttime entertainment are not permitted.

* * * *

SPECIFIC PROVISIONS FOR SPD DISTRICTS		
Article Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 814, 814.03	§ 207(c)(4)	<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p>Boundaries: <i>Within the boundaries of the SPD Districts.</i></p>

		<p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot. .</i></p>
* * * *	* * * *	* * * *

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

The Residential/Service Mixed Use District (RSD) runs along Harrison St. between 4th St. and 5th St. The RSD serves as a housing opportunity area within the South of Market Mixed Use Districts. The district controls are intended to facilitate the development of high-density, mid-rise housing, including residential hotels and live/work units, while also encouraging the expansion of retail, business service and commercial and cultural arts activities. Accessory Dwelling Units are permitted are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Residential hotels are subject to flexible standards for parking, rear yard/open space and density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged.

General office, hotels, nighttime entertainment, adult entertainment, massage establishment, movie theaters and heavy industrial uses are not permitted, except that massages services are authorized as a conditional use in the Residential/Service Mixed Use District when provided in conjunction with full-service spa services.

Table 815			
RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
* * * *	* * * *	* * * *	* * * *
			<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries: Within the boundaries of the Residential/Service Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 §§ 815, Residential Density Limit and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

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

The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, live/work use, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing and live/work space at a scale and density compatible with the existing neighborhood.

Housing and live/work units are encouraged over ground floor commercial/service/light industrial activity. New residential or mixed use developments are encouraged to provide as much mixed-income rental housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to nonresidential use by requiring conditional use review. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

1 General office, hotels, nighttime entertainment, movie theaters, adult entertainment and
 2 heavy industrial uses are not permitted.

3

4 **Table 816**

5 **SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT**

6 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Light Industrial/ Residential Mixed Use District Controls
* * * *	* * * *	* * * *	* * * *
816.03	Residential Density Limit	§§ 124, 207.5, 208	1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing
* * * *	* * * *	* * * *	* * * *

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14 **SPECIFIC PROVISIONS FOR SLR DISTRICTS**

Article Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 816, 816.03	§ 207(c)(4)	<p><i>ACCESSORY DWELLING UNITS</i></p> <p><i>Boundaries: Within the boundaries of the SLR Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

1 **SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.**

2 The Service/Light Industrial (SLI) District is designed to protect and facilitate the
 3 expansion of existing general commercial, manufacturing, home and business service,
 4 live/work use, arts uses, light industrial activities and small design professional office firms.
 5 Existing group housing and dwelling units are protected from demolition or conversion to
 6 nonresidential use and development of group housing and low-income affordable dwelling
 7 units are permitted as a conditional use. General office, hotels, movie theaters, nighttime
 8 entertainment and adult entertainment uses are not permitted. Accessory Dwelling Units are
 9 permitted within the district pursuant to Subsection 207(c)(4) of this Code.

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

No.	Zoning Category	§ References	Service/Light Industrial District Controls
* * * *	* * * *	* * * *	* * * *
817.03	Residential Density Limit	§ 208	1:200 for dwelling units #; 1 bedroom for each 70 sq. ft. of lot area for group housing
* * * *	* * * *	* * * *	* * * *

19 **SPECIFIC PROVISIONS FOR SLI DISTRICTS**

Article Code Section	Other Code Section	Zoning Controls
* * * *	* * * *	* * * *
§§ 817, 817.03	§207(c)(4)	<i>ACCESSORY DWELLING UNITS</i> <i>Boundaries: Within the boundaries of the SLI Mixed Use District.</i> <i>Controls: An "Accessory Dwelling Unit," as defined in Section 102</i>

		<i>and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i>
* * * *	* * * *	* * * *

SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.

The Service/Secondary Office District (SSO) is designed to accommodate small-scale light industrial, home and business services, arts activities, live/work units, and small-scale, professional office space and large-floor-plate "back office" space for sales and clerical work forces. Nighttime entertainment is permitted as a conditional use. Dwelling units and group housing are permitted as conditional uses. Demolition or conversion of existing group housing or dwelling units requires conditional use authorization. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Office, general commercial, most retail, service and light industrial uses are principal permitted uses. Large hotel, movie theater, adult entertainment and heavy industrial uses are not permitted.

Small hotels of 75 rooms or less are permitted in this District only as a conditional use. Any such conditional use authorization requires a conditional use finding that disallows project proposals that displace existing Production, Distribution and Repair (PDR) uses.

Table 818			
SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Service/Secondary Office District Controls
* * * *	* * * *	* * * *	* * * *

1			1:200 for dwellings #;
2	818.03	Residential Density	§§ 124(b), 207.5, 208
3			1 bedroom for each 70 sq. ft. of lot area for group housing
4	* * * *	* * * *	* * * *

6 SPECIFIC PROVISIONS FOR SSO DISTRICTS		
7 Article Code Section	Other Code Section	Zoning Controls
8 * * * *	* * * *	* * * *
9		<u>ACCESSORY DWELLING UNITS</u>
10		<u><i>Boundaries: Within the boundaries of the SLI Mixed Use District.</i></u>
11		<u><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and</i></u>
12	§§ 818, 818.03	<u><i>meeting the requirements of Section 207(c)(4) is permitted to be</i></u>
13	§207(c)(4)	<u><i>constructed within an existing building in areas that allow residential</i></u>
14		<u><i>use or within an existing and authorized auxiliary structure on the same</i></u>
15		<u><i>lot.</i></u>
16	* * * *	* * * *
17	* * * *	* * * *

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

19 The Rincon Hill Downtown Residential Mixed Use District (RH-DTR), the boundaries of
20 which are shown in Section Map No. 1 of the Zoning Map, is established for the purposes set
21 forth below.

22 The RH-DTR District is adjacent to the southern edge of the downtown, generally
23 bounded by Folsom Street, the Bay Bridge, the Embarcadero, and Essex Street. High-density
24 residential uses and supporting commercial and institutional uses are allowed and
25 encouraged within the limits set by height, bulk, and tower spacing controls. Folsom Street is

1 intended to develop as the neighborhood commercial heart of the Rincon Hill and Transbay
2 neighborhoods, and pedestrian-oriented uses are required on the ground floor. Individual
3 townhouse dwelling units with ground floor entries directly to the street are required on streets
4 that will become primarily residential, including First, Fremont, Beale, Main, and Spear
5 Streets.

6 While lot coverage is limited for all levels with residential uses that do not face onto
7 streets or alleys, traditional rear yard open spaces are not required except in the limited
8 instances where there is an existing pattern of them, such as smaller lots on the Guy Place
9 block. Specific height, bulk, and setback controls establish appropriate heights for both towers
10 and mid-rise podium development and ensure adequate spacing between towers in order to
11 establish a neighborhood scale and ensure light and air to streets and open spaces. Setbacks
12 are required where necessary to provide transition space for ground floor residential uses and
13 to ensure sunlight access to streets and open spaces. Off-street parking must be located
14 below grade.

15 Given the need for services and open space resulting from new development, projects
16 will provide or contribute funding for the creation of public open space and community facilities
17 as described in the Rincon Hill Area Plan of the General Plan. The Rincon Hill Streetscape
18 Plan, part of the Area Plan, proposes to enhance and redesign most streets in the district to
19 create substantial new open space amenities, improve pedestrian conditions, and improve the
20 flow of local traffic and transit. Detailed standards for the provision of open spaces, mid-block
21 pathways, and residential entries are provided to ensure that new buildings contribute to
22 creating a public realm of the highest quality in Rincon Hill. Accessory Dwelling Units are
23 permitted within the district pursuant to Subsection 207(c)(4) of this Code.

**Table 827
RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Rincon Hill Downtown Residential Mixed Use District Zoning Controls

Residential Standards and Uses			

.47	Residential Density, Dwelling Units	§ 890.88(a)	No Limit. § 207.5(d) # Unit Mix Required § 207.6

**SPECIFIC PROVISIONS FOR
RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE**

Section	Zoning Controls	
****	****	****
<u>§ 827.47</u>	<u>§207(c)(4)</u>	<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries: Within the boundaries of the Rincon Hill Downtown Residential Mixed Use District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

SEC. 828. TRANSBAY DOWNTOWN RESIDENTIAL DISTRICT (TB-DTR).

The Transbay Downtown Residential District, which is wholly within the Transbay Redevelopment Project Area, comprises mostly publicly owned parcels containing

1 infrastructure or underutilized land related to the Transbay Terminal and former Embarcadero
2 Freeway. This district generally extends along the north side of Folsom Street from Spear to
3 Essex Streets, and between Main and Beale Streets to the north side of Howard Street. Laid
4 out in the Transbay Redevelopment Plan and its companion documents, including the Design
5 for the Development and the Development Controls and Design Guidelines for the Transbay
6 Redevelopment Project, is the comprehensive vision for this underutilized area as a high-
7 density, predominantly residential, district within walking distance of the downtown core,
8 transit facilities, and the waterfront. The plan for the district includes: a mix of widely-spaced
9 high-rises, mixed with a street-defining base of low- and mid-rise buildings with ground floor
10 townhouses; a public open space on part of the block bounded by Folsom, Beale, Howard,
11 and Main Streets; ground-floor retail along Folsom Street; and several new alleyways to break
12 up the size of the blocks.

13 (a) **Basic Controls.** Development controls for this district are established in the
14 Transbay Redevelopment Plan as approved by the Planning Commission on December 9,
15 2004, and January 13, 2005, specifically the Development Controls and Design Guidelines for
16 the Transbay Redevelopment Project. On matters to which these Redevelopment documents
17 are silent, controls in this Code pertaining to the C-3-O District shall apply. *The C-3-O District*
18 *permits construction of Accessory Dwelling Units pursuant to Section 207(c)(4) of this Code.*

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

20 The South Beach Downtown Residential Mixed Use District (SB-DTR), the boundaries
21 of which are shown in Section Map No. 1 of the Zoning Map, is established for the purposes
22 set forth below.

23 The SB-DTR District is adjacent to the southern edge of the downtown, generally
24 bounded by the Bay Bridge, Bryant Street, the Embarcadero, and 2nd Street, and is primarily
25 comprised of the former South Beach Redevelopment Area. High-density residential uses and

1 supporting commercial and institutional uses are allowed and encouraged within the limits set
 2 by height, bulk, and tower spacing controls. Individual townhouse dwelling units with ground
 3 floor entries directly to the street are generally required on streets.

4 While lot coverage is limited for all levels with residential uses that do not face onto
 5 streets or alleys, traditional rear yard open spaces are not required. Specific height, bulk, and
 6 setback controls establish appropriate heights for both towers and mid-rise podium
 7 development and ensure adequate spacing between towers in order to establish a
 8 neighborhood scale and ensure light and air to streets and open spaces. Setbacks are
 9 required where necessary to provide transition space for ground floor residential uses and to
 10 ensure sunlight access to streets and open spaces. Off-street parking must be located below
 11 grade. *Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of*
 12 *this Code.*

Table 829 SOUTH BEACH DOWNTOWN RESIDENTIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	South Beach Downtown Residential District Zoning Controls

Residential Standards and Uses			
****	****	****	****
.47	Residential Density, Dwelling Units	§ 890.88(a)	No Limit. § 207.5(d) # Unit Mix Required § 207.6
****	****	****	****

**SPECIFIC PROVISIONS FOR
 SOUTH BEACH DOWNTOWN RESIDENTIAL DISTRICT**

Section	Zoning Controls
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****	****	****
§ 829.47	§207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><u>Boundaries: Within the boundaries of the South Beach Downtown Residential District.</u></p> <p><u>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</u></p>

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

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

Housing is encouraged over ground floor commercial and production, distribution, and repair uses. New residential or mixed use developments are encouraged to provide as much mixed-income family housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to nonresidential use by requiring conditional use review. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted. Office is restricted to the upper floors of multiple story buildings.

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Table 840 MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use-General District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *
840.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

**SPECIFIC PROVISIONS FOR
MUG – MIXED USE-GENERAL DISTRICT**

<u>Section</u>	<u>Zoning Controls</u>	
<u>§ 840.24</u>	<u>§207(c)(4)</u>	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><u>Boundaries:</u> <i>Within the boundaries of the MUG – Mixed Use-General District.</i></p> <p><u>Controls:</u> <i>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

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

The Mixed Use-Residential District (MUR) serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of Sixth Street.

The MUR serves as a major housing opportunity area within the eastern portion of the South of Market. The district controls are intended to facilitate the development of high-density, mid-rise housing, including family-sized housing and residential hotels. The district is

1 also designed to encourage the expansion of retail, business service and commercial and
 2 cultural arts activities. Accessory Dwelling Units are permitted within the district pursuant to
 3 Subsection 207(c)(4) of this Code.

4 Continuous ground floor commercial frontage with pedestrian-oriented retail activities
 5 along major thoroughfares is encouraged. Hotels, nighttime entertainment, adult
 6 entertainment and heavy industrial uses are not permitted. Office is limited by residential-to-
 7 non residential ratio in new construction.

8 **Table 841**
 9 **MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Mixed Use-Residential District Controls
* * * * Residential Uses			
* * * *	* * * *	* * * *	* * * *
841.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit <i>within #</i>
* * * *	* * * *	* * * *	* * * *

17 **SPECIFIC PROVISIONS FOR**
 18 **MUR – RESIDENTIAL DISTRICT**

<u>Section</u>	<u>Zoning Controls</u>	
§ 841.24	§207(c)(4)	<p data-bbox="537 1461 980 1493"><u>ACCESSORY DWELLING UNITS</u></p> <p data-bbox="537 1524 1333 1619"><i>Boundaries:</i> <u>Within the boundaries of the MUR – Mixed Use-Residential District.</u></p> <p data-bbox="537 1650 1520 1745"><i>Controls:</i> <u>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed</u></p>

		<i>within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i>
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SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.

The Mixed Use-Office (MUO) runs predominantly along the 2nd Street corridor in the South of Market area. The MUO is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Nighttime entertainment and small tourist hotels are permitted as a conditional use. Large tourist hotels are permitted as a conditional use in certain height districts. Dwelling units and group housing are permitted, while demolition or conversion of existing dwelling units or group housing requires conditional use authorization. Family-sized housing is encouraged. *Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.*

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

Table 842			
MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use-Office District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *
842.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR
MUO – MIXED USE OFFICE DISTRICT

<u>Section</u>	<u>Zoning Controls</u>	
§ 842.24	§207(c)(4)	<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries: Within the boundaries of the MUO – Mixed Use-Office District.</i></p> <p><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

SEC. 843. UMU – URBAN MIXED USE DISTRICT.

The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements. Family-sized dwelling units are encouraged. Within the UMU, office uses are restricted to the upper floors of multiple story buildings. In considering any new land use not contemplated in this District, the Zoning Administrator shall take into account the intent of this District as expressed in this Section and in the General Plan. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 843
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *
843.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR
UMU – URBAN MIXED USE DISTRICT

<u>Section</u>		<u>Zoning Controls</u>
§ 843.24	§207(c)(4)	<p style="text-align: center;"><u>ACCESSORY DWELLING UNITS</u></p> <p><i>Boundaries:</i> <i>Within the boundaries of the UMU – Mixed Use District.</i></p> <p><i>Controls:</i> <i>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

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

The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale, production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting

1 existing housing and encouraging the development of housing at a scale and density
 2 compatible with the existing neighborhood.

3 Housing is encouraged over ground floor commercial and production, distribution, and
 4 repair uses. New residential or mixed use developments are encouraged to provide as much
 5 mixed-income family housing as possible. Existing group housing and dwelling units will be
 6 protected from demolition or conversion to nonresidential use by requiring conditional use
 7 review. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of
 8 this Code.

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

Table 844
WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	WSoMa Mixed Use-General District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *
844.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR WMUG DISTRICTS

Section	Zoning Controls	
* * * *	* * * *	* * * *
<u>§ 844.24</u>	<u>§207(c)(4)</u>	<u>ACCESSORY DWELLING UNITS</u> <u>Boundaries: Within the boundaries of the WSoMa-Mixed Use General</u>

		<p><u>District.</u></p> <p><u>Controls:</u> <u>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</u></p>
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SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

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

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

Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 845			
WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	<u>WSoMa</u> Mixed Use-Office District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *
845.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #

* * * *	* * * *	* * * *	* * * *
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SPECIFIC PROVISIONS FOR WMUO DISTRICTS

<u>Section</u>	<u>Zoning Controls</u>	
§ 845.24	§207(c)(4)	<p><u>ACCESSORY DWELLING UNITS</u></p> <p><u>Boundaries:</u> <i>Within the boundaries of the WSoMa Mixed Use-Office District.</i></p> <p><u>Controls:</u> <i>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

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

The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings with production, distribution, and repair uses. The district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, and light industrial activities, with an emphasis on preserving and expanding arts activities. Nighttime Entertainment is permitted although limited by buffers around RED and RED-MX districts. Residential Uses, Offices, Hotels, and Adult Entertainment uses are not permitted. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

Table 846			
SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	SALI District Controls
* * * *			
Residential Uses			
* * * *	* * * *	* * * *	* * * *

846.24	Dwelling Unit Density Limit	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

SPECIFIC PROVISIONS FOR SALI DISTRICTS

Section	Zoning Controls	
* * * *	* * * *	* * * *
<u>§ 846.24</u>	<u>§207(c)(4)</u>	<p align="center"><u>ACCESSORY DWELLING UNITS</u></p> <p align="center"><i>Boundaries: Within the boundaries of the SALI Districts.</i></p> <p align="center"><i>Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</i></p>

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

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

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

1 subject to the termination requirements of Article 1.7. Accessory Dwelling Units are permitted
 2 within the district pursuant to Subsection 207(c)(4) of this Code.

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

No.	Zoning Category	§ References	Residential Enclave-Mixed <u>District</u> Controls
* * * * USE STANDARDS			
847.03	Residential Density	§§ 124, 207.5, 208	No density limit #
* * * *	* * * *	* * * *	* * * *

10 **SPECIFIC PROVISIONS FOR RESIDENTIAL ENCLAVE-MIXED DISTRICTS**

<u>Section</u>	<u>Zoning Controls</u>	
§ 847.24	§207(c)(4)	<p data-bbox="535 966 982 997"><u>ACCESSORY DWELLING UNITS</u></p> <p data-bbox="535 1029 1429 1123">Boundaries: <u>Within the boundaries of the Residential Enclave-Mixed Districts.</u></p> <p data-bbox="535 1155 1518 1386">Controls: <u>An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(c)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot.</u></p>

20 Section 5. The Administrative Code is hereby amended by revising Section 37.2, to
 21 read as follows:

22 **SEC. 37.2. DEFINITIONS.**

23 (r) **Rental Units.** All residential dwelling units in the City and County of San
 24 Francisco together with the land and appurtenant buildings thereto, and all housing services,
 25

1 privileges, furnishings and facilities supplied in connection with the use or occupancy thereof,
2 including garage and parking facilities.

3 * * * *

4 The term "rental units" shall not include:

5 * * * *

6 (4) Except as provided in Subsections (A), (B) and (C), dwelling units whose
7 rents are controlled or regulated by any government unit, agency or authority, excepting those
8 unsubsidized and/or unassisted units which are insured by the United States Department of
9 Housing and Urban Development; provided, however, that units in unreinforced masonry
10 buildings which have undergone seismic strengthening in accordance with Building Code
11 Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the
12 ordinance is not in conflict with the seismic strengthening bond program or with the program's
13 loan agreements or with any regulations promulgated thereunder.

14 * * * *

15 (D) The term "rental units" shall include Accessory Dwelling Units
16 constructed pursuant to Section 207(c)(4) of the Planning Code and that have received a
17 complete or partial waiver of the density limits and the parking, rear yard, exposure, or open
18 space standards from the Zoning Administrator pursuant to Planning Code Section 307(l);
19 *provided that the building containing the Accessory Dwelling Unit(s) or any unit within the building is*
20 *already subject to this Chapter.*

21 * * * *

22
23 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
2 additions, and Board amendment deletions in accordance with the “Note” that appears under
3 the official title of the ordinance.

4
5 Section 7. Severability. If any section, subsection, sentence, clause, phrase, or word
6 of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any
7 court of competent jurisdiction, such decision shall not affect the validity of the remaining
8 portions of the ordinance. The Board of Supervisors hereby declares that it would have
9 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and
10 word not declared invalid or unconstitutional without regard to whether any other portion of
11 this ordinance would subsequently be declared invalid or unconstitutional.

12
13 Section 8. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
14 to submit a copy of this ordinance to the California Department of Housing and Community
15 Development within 60 days following adoption pursuant to Section 65852.2(h) of the
16 California Government Code.

17
18 Section 9. This Section is uncodified. The Planning Department shall prepare and
19 submit to the Board of Supervisors a Report on the size of Accessory Dwelling Units (ADUs)
20 constructed or proposed to be constructed pursuant to Planning Code Section 207(c)(4). The
21 Report shall be submitted no later than 15 months from the date of adoption of this ordinance
22 and shall include the size data on all ADUs that have been constructed or are proposed to be

1 constructed from the effective date of Planning Code Section 207(c)(4), and any predecessor
2 ADU legislation, up to 12 months from the effective date of this ordinance.

3

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

6

6 By: _____
7 JUDITH A. BOYAJIAN
8 Deputy City Attorney
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