

1 [Planning Code - Office Conversion Controls In Landmark Buildings]

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3 **Ordinance amending the Planning Code to place vertical controls on the conversion of**
 4 **designated landmark buildings to office use in PDR-1-D and PDR-1-G Districts; and**
 5 **making environmental findings, and findings of consistency with the General Plan, and**
 6 **the eight priority policies of Planning Code, Section 101.1.**

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

11

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

13

14 Section 1.

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

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

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1 Section 2. The Planning Code is hereby amended by revising Section 219, to read as
 2 follows:

3 **SEC. 219. OFFICES.**

| 5 | C-1 | C-2 | C-3-O (SD) | C-3-R | C-3-G | C-3-S | C-M | M-1 | M-2 | PDR-1-G | PDR-1-D | PDR-1-B | PDR-2 | |
|----|-----|-----|---------------|-------|-------|-------|-----|-----|-----|---|---|---------------|---------------|---|
| 7 | | | | | | | | | | | | | | SEC. 219. OFFICES. |
| 8 | | | | | | | | | | NP, unless in a designated landmark building. P in designated landmark buildings, <u>subject to Section 803.9(h).</u> | NP, unless in a designated landmark building. P in designated landmark buildings, <u>subject to Section 803.9(h).</u> | P*# | P*# | (a) Professional and business offices, as defined in 890.70, not more than 5,000 gross square feet in size and offering on-site services to the general public. |
| 16 | | | | | | | | | | NP, unless in a designated landmark building. P in designated landmark buildings, <u>subject to Section 803.9(h).</u> | NP, unless in a designated landmark building. P in designated landmark buildings, <u>subject to Section 803.9(h).</u> | | | (b) Professional and business offices, as defined in 890.70, larger than 5,000 gross square feet in size and offering on-site services to the general public. |
| 24 | P | P | P | C | P | P | P | P | P | NP, unless in a desig- | NP, unless in a desig- | P under 5,000 | P under 5,000 | (c) Other professional and |

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| | | | | | | | | | nated land- mark build- ing. P in desig- nated land-mark build- ings, <u>subject to</u> <u>Section</u> <u>803.9(h).</u> | nated land- mark build- ing. P in desig- nated land-mark build- ings, <u>subject to</u> <u>Section</u> <u>803.9(h).</u> | gsf *# | gsf*# | business offices, as defined in 890.70, above the ground floor. In the C-3-R District, in addition to the criteria set forth in Section 303, approval shall be given upon a determinatio n that the use will not detract from the district's primary function as an area for comparison shopper retailing and direct consumer services. | |
| P | P | C | C | | C | C | P | P | P | NP, unless in a desig- nated land- mark build- ing. P in desig- nated land-mark build- ings, <u>subject to</u> <u>Section</u> <u>803.9(h).</u> | NP, unless in a desig- nated land- mark build- ing. P in desig- nated land-mark build- ings, <u>subject to</u> <u>Section</u> <u>803.9(h).</u> | P under 5,000 gsf*# | P under 5,000 gsf *# | (d) Other professional and business offices, as defined in 890.70, at or below the ground floor. |
| | | | | | | | | | | | | | | Subject to limitations of Section |

1 (B) **Timing of Designation.** In the case of new construction, any
2 designated office story or stories shall be established prior to the issuance of a first building
3 permit or along with any associated Planning Commission action, whichever occurs first. In
4 the case of buildings that were constructed prior to the effective date of this Section, any such
5 story or stories shall be designated prior to the issuance of any building permit for new or
6 expanded office uses or along with any associated Planning Commission action, whichever
7 occurs first.

8 (C) **Recordation of Designation.** Notice of the designation of office
9 stories shall be recorded as a restriction on the deed of the property along with plans clearly
10 depicting the designated story or stories in relation to the balance of the building. A
11 designated office story may only be re-allocated when the designated office story is first
12 returned to a permitted non-office use and associated building modifications to the designated
13 office story are verified by the Zoning Administrator.

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

21 **Table 803.9(h)**

| <i>Total Number of Stories</i> | <i>Maximum Number of Designated Office Stories</i> |
|---------------------------------------|---|
| 1-story | 0 stories (office use NP) |
| 2 - 4 stories | 1-story |

| | |
|-------------------|-----------|
| 5 - 7 stories | 2-stories |
| 8 or more stories | 3-stories |

(E) For projects *in MUG and UMU Districts* with multiple buildings, consolidation of permitted office stories may be permitted, pursuant to the controls set forth in 329(d)(8).

* * * *

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: _____
VICTORIA WONG
Deputy City Attorney

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