

[Ordinance making conforming changes to the Planning Code to implement companion legislation establishing controls for two newly-created zoning districts, Transit-Oriented Neighborhood Commercial (NC-T) Districts and Transit-Intensive Special Use Districts.]

**Ordinance amending the Planning Code by amending Section 121.1 to include lot size controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, amending Section 121.2 to include use size controls for NC-T Districts, amending Section 124 to include a basic floor area ratio for NC-T Districts, amending Section 135 to include open space requirements for NC-T Districts, amending Section 151 to include off-street parking requirements for NC-T and Transit-Intensive Special Use Districts, amending Section 208 to include density limits for group housing in NC-T Districts; amending Section 607.1 to regulate signs in the NC-T, and making a determination of consistency with the priority policies of Planning Code Section 101.1(B).**

Note: Additions are *italic; Times New Roman*; deletions are ~~*strikethrough italic; Times New Roman*~~.  
Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings

A. General Findings

1. The population of California has grown by more than 11 percent since 1990.

During the next twenty years, California is expected to add more than five million new jobs to its economy. This economic growth is expected to be accompanied by the addition of more than 20 million new residents, a population increase equal to that experienced during the boom years of the 1950's, 1960's and 1970's combined. As California grows, the State Legislature and local governments will need to determine where to locate additional housing,

1 in a fiscally and environmentally sustainable manner, consistent with sound urban planning  
2 practices.

3 2. There is a regional need to encourage new housing in existing cities, such as  
4 San Francisco, to accommodate the additional population, while protecting the region's  
5 greenbelt and reducing over-dependence on the private automobile for commuting.

6 3. San Francisco already is experiencing a severe shortage of both affordable and  
7 market-rate housing, resulting in a sharp increase in rents and home prices. Rental vacancy  
8 rates are at an all time low.

9  
10 4. The production of new affordable and market-rate housing in San Francisco has  
11 fallen far short of the level needed to meet housing demand. Between 1990 and 1999, the  
12 population of San Francisco increased by approximately 66,000 persons, from 724,000 to  
13 790,000, yet only 8,500 new housing units were built. In order to maintain the 1990 ratio of  
14 housing units to population, approximately 20,000 additional housing units would have to have  
15 been constructed during this period. The Association of Bay Area Governments forecasts that  
16 San Francisco's population will reach approximately 810,000 by 2010, further increasing the  
17 need for new housing.

18  
19 5. Obstacles to increased housing production in San Francisco include unintended  
20 and unnecessary impediments to residential development contained in the City's Planning  
21 Code and Zoning Map, such as the lack of incentives to construct more housing in areas with  
22 good access to public transit, including areas adjacent to transit-intensive neighborhood  
23 commercial corridors and transit centers.  
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1           6.       One solution to the housing crisis is to encourage the construction of higher  
2 density housing in areas of the City best able to accommodate such housing because of easy  
3 access to neighborhood services, public transit and shopping and the availability of larger  
4 development sites.

5           7.       With certain limited exceptions (including the C-3, RSD and RC-4 Districts), the  
6 Planning Code generally requires one off-street parking space for each dwelling unit and one  
7 off-street parking space for every three rooms of group housing, regardless of the location or  
8 occupancy of the dwelling unit or group housing unit. Within the C-3, RSD and RC-4 Districts,  
9 parking is required at a ratio of one off-street space for each four dwelling units, and in the  
10 South of Market base districts, parking is required at a ratio of one off-street space for each 20  
11 SRO units.  
12

13           8.       Certain other areas of the City, in addition to C-3, RSD, RC-4 and South of  
14 Market base districts, are characterized by good access to public transit (which provides  
15 convenient access to employment and shopping) and commercial services. In these areas,  
16 the need for residents to own private automobiles is reduced. The City has an interest in  
17 discouraging private automobile ownership, particularly in those areas where the need for  
18 private automobile ownership is reduced.  
19

20           9.       It is in the City's public interest to establish Transit-Oriented Neighborhood  
21 Commercial Districts where, among other things, residential density limits are increased,  
22 height limits are increased from 40 feet to 50 feet, off-street parking requirements for dwelling  
23 units and commercial uses are reduced and certain commercial uses are not allowed or  
24 controlled above the ground level.  
25

1           10.     It is in the City's public interest to establish Transit-Intensive Special Use  
2 Districts where off-street parking requirements for dwelling units are reduced.

3           B.     Priority Policies Findings: The amendments made herein are consistent with the  
4 eight priority policies of Section 101.1(b) of the City Planning Code, as follows:

5           1.     That existing neighborhood-serving retail uses be preserved and enhanced and  
6 future opportunities for resident employment in and ownership of such businesses be  
7 enhanced: The legislation is designed to encourage the construction of new housing in areas  
8 that have good access to public transit and to encourage the use of public transportation in  
9 lieu of private automobiles in those districts. The legislation is not expected to adversely  
10 affect neighborhood serving retail uses or affect resident employment in or ownership of such  
11 businesses, and is consistent with this policy to the extent it is intended to preserve and  
12 enhance neighborhood commercial districts with good access to public transit.

13           2.     That existing housing and neighborhood character be conserved and protected  
14 in order to preserve the cultural and economic diversity of our neighborhoods: The legislation  
15 is designed to encourage the construction of new housing in areas that have good access to  
16 public transit and to encourage the use of public transportation in lieu of private automobiles in  
17 those districts. Off-street parking requirements in these newly created transit-oriented districts  
18 will be lower than in other districts that are not as well-served by public transportation. It is  
19 expected that housing costs in transit-oriented districts will be lower than in areas that have  
20 greater parking requirements, thus the legislation is designed to reduce housing costs  
21 throughout San Francisco. The creation of new housing, particularly affordable housing, will  
22 help to maintain the economic and cultural diversity of the City by providing housing  
23  
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1 opportunities for all San Franciscans. The legislation limits residential conversion and  
2 demolition in the newly-created districts.

3         3. That the City's supply of affordable housing be preserved and enhanced: The  
4 legislation is designed to encourage the construction of new housing in areas that have good  
5 access to public transit and to encourage the use of public transportation in lieu of private  
6 automobiles in those districts. Off-street parking requirements in these newly created transit-  
7 oriented districts will be lower than in other districts that are not as well-served by public  
8 transportation. The legislation also provides a "density bonus" for housing projects that  
9 include affordable units. It is expected that housing costs in transit-oriented districts will be  
10 lower than in areas that have greater parking requirements, thus the legislation is designed to  
11 encourage the construction of affordable housing and reduce housing costs throughout San  
12 Francisco.  
13

14         4. That commuter traffic not impede Muni transit service or overburden our streets  
15 or neighborhood parking: Although the legislation would reduce parking requirements for  
16 certain dwelling units, the legislation is designed to encourage the construction of new  
17 housing in areas that have good access to public transit and to encourage the use of public  
18 transportation in lieu of private automobiles in those districts and to reduce commuter traffic.  
19 The legislation is not anticipated to have any substantial effect on neighborhood parking.  
20

21         5. That a diverse economic base be maintained by protecting our industrial and  
22 service sectors from displacement due to commercial office development, and that future  
23 opportunities for resident employment and ownership in these sectors be enhanced: The  
24 legislation is designed to encourage the construction of new housing in areas that have good  
25

1 access to public transit and to encourage the use of public transportation in lieu of private  
2 automobiles in those districts. It is expected that housing costs in transit-oriented districts will  
3 be lower than in areas that have greater parking requirements, thus the legislation is designed  
4 to encourage the construction of housing and reduce escalating real estate values throughout  
5 San Francisco. The legislation is not expected to adversely affect the industrial and service  
6 sectors or encourage commercial office development.

7  
8 6. That the City achieve the greatest possible preparedness to protect against  
9 injury and loss of life in an earthquake: To the extent that this legislation encourages the  
10 development of new housing, it will have a positive impact on this priority policy because new  
11 housing is subject to strict seismic standards.

12 7. That landmarks and historic buildings be preserved: The legislation is not  
13 expected to have an impact on this priority policy.

14  
15 8. That parks and open space and their access to sunlight and vistas be protected  
16 from development: The legislation would increase incrementally the height limits in certain  
17 districts in order to encourage the construction of new affordable and market rate housing in  
18 areas with good access to public transit. However, because these districts are expected to be  
19 located in areas with substantial existing development, the legislation is not expected to have  
20 an impact on existing open spaces or parks, particularly given the regulatory safeguards  
21 already in place to protect sunlight and vistas in public open spaces.

22 Section 2. The Planning Code is hereby amended by amending Section 121.1 to read  
23 as follows:

24 SEC.121.1 DEVELOPMENT OF LARGE LOTS, NEIGHBORHOOD COMMERCIAL  
25 DISTRICTS.

In order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or significant enlargement of existing buildings on lots of the same size or larger than the square footage stated in the table below shall be permitted only as conditional uses subject to the provisions set forth in Sections 316 through 316.8 of this Code.

District	Lot Size Limits
NC-1, Broadway, Castro Street, Inner Clement Street, Outer Clement Street,	5,000 sq. ft.
Upper Fillmore Street,	
Haight Street,	
North Beach,	
Sacramento Street,	
Union Street, 24th Street-Mission, 24th Street-Noe Valley, West Portal Avenue,	5,000 sq. ft.
NC-2,	
NC-3,	
<u>NC-T</u>	
Hayes-Gough,	
	10,000 sq. ft.

1	Upper Market Street,	
2	Polk Street,	
3	Valencia Street,	
4	NC-S	Not Applicable

5 In addition to the criteria of Section 303(c) of this Code, the City Planning Commission shall  
6 consider the extent to which the following criteria are met:

7 (1) The mass and facade of the proposed structure are compatible with the existing  
8 scale of the district.

9 (2) The facade of the proposed structure is compatible with design features of  
10 adjacent facades that contribute to the positive visual quality of the district.

11 Section 3. The Planning Code is hereby amended by amending Section 121.1 to  
12 read as follows:

13 SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD  
14 COMMERCIAL DISTRICTS.

15 (a) In order to protect and maintain a scale of development appropriate to each  
16 district, nonresidential uses of the same size or larger than the square footage stated in the  
17 table below may be permitted only as conditional uses subject to the provisions set forth in  
18 Sections 316 through 316.8 of this Code. The use area shall be measured as the gross floor  
19 area for each individual nonresidential use.  
20

21	District	Use Size Limits
22	North Beach	2,000 sq. ft.
23	Castro Street	
24		
25		



1	Inner Clement Street	2,500 sq. ft.
2	Outer Clement Street	
3	Upper Fillmore Street	
4	Haight Street	
5	Sacramento Street	
6	Union Street	
7	24th Street-Mission	2,500 sq. ft.
8	24th Street-Noe Valley	
9	West Portal Avenue	
10	NC-1	3,000 sq. ft.
11	Broadway	
12	Hayes-Gough	
13	Upper Market Street	
14	Polk Street	
15	Valencia Street	
16	NC-2	4,000 sq. ft.
17	<u>NC-T</u>	
18	NC-3	6,000 sq. ft.
19	NC-S	

In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

(1) The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

(2) The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

(3) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

(b) In order to protect and maintain a scale of development appropriate to each district, nonresidential uses which exceed the square footage stated in the table below shall not be permitted, except that in the North Beach Neighborhood Commercial District this Subsection 121.2(b) shall not apply to a Movie Theater use as defined in Section 790.64 or Other Entertainment use as defined in Section 790.38 in a building existing prior to November 1, 1999, that was originally constructed as a multi-story, single-tenant commercial occupancy. The use area shall be measured as the gross floor area for each individual nonresidential use.

District	Use Size Limits
West Portal Avenue	4,000 sq. ft.
North Beach	
Castro Street	

Section 4. The Planning Code is hereby amended by amending Section 124 to read as follows:

SEC. 124. BASIC FLOOR AREA RATIO.

(a) Except as provided in Subsections (b), (c) and (e) of this Section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 124  
BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
RED	1.0 to 1
RSD, SPD	1.8 to 1
NC-1	1.8 to 1
NC-S	
<u>NC-T</u>	
Inner Clement	
Outer Clement	
Haight	
North Beach	
Sacramento	

1	24th Street-Noe Valley	
2	West Portal	
3	NC-2	2.5 to 1
4	Broadway	
5	Upper Fillmore	
6	Polk	
7	Valencia	
8	24th Street-Mission	
9	Castro	3.0 to 1
10	Hayes-Gough	
11	Upper Market	
12	Union	
13	NC-3	3.6 to 1
14	Chinatown R/NC	1.0 to 1
15	Chinatown VR	2.0 to 1
16	Chinatown CB	2.8 to 1
17	C-1, C-2	3.6 to 1
18	C-2-C	4.8 to 1
19	C-3-C	6.0 to 1
20	C-3-O	9.0 to 1
21	C-3-R	6.0 to 1
22	C-3-G	6.0 to 1
23	C-3-S	5.0 to 1
24	C-3-O (SD)	6.0 to 1
25		

1	C-M	9.0 to 1
2	M-1, M-2	5.0 to 1
3	SLR, SLI	2.5 to 1
4	SSO and in a 40 or 50 foot height district	3.0 to 1
5	SSO and in a 65 or 80 foot height district	4.0 to 1
6	SSO and in a 130 foot height district	4.5 to 1

7

8 (b) In R, NC, and Mixed Use Districts, the above floor area ratio limits shall not

9 apply to dwellings or to other residential uses. In NC Districts, the above floor area ratio limits

10 shall also not apply to nonaccessory off-street parking. In Chinatown Mixed Use Districts, the

11 above floor area ratio limits shall not apply to institutions, and mezzanine commercial space

12 shall not be calculated as part of the floor area ratio.

13 (c) In a C-2 District the basic floor area ratio limit shall be 4.8 to 1 for a lot which is

14 nearer to an RM-4 or RC-4 District than to any other R District, and 10.0 to 1 for a lot which is

15 nearer to a C-3 District than to any R District. The distance to the nearest R District or C-3

16 District shall be measured from the midpoint of the front line, or from a point directly across

17 the street therefrom, whichever gives the greatest ratio.

18 (d) In the Van Ness Special Use District, as described in Section 243 of this Code,

19 the basic floor area ratio limit shall be 7.0 to 1 where the height limit is 130 feet and 4.5 to 1

20 where the height limit is 80 feet.

21 (e) In the Waterfront Special Use Districts, as described in Sections 240 through

22 240.3 of this Code, the basic floor area ratio limit in any C District shall be 5.0 to 1.

23 (f) For buildings in C-3-G and C-3-S Districts other than those designated as

24 Significant or Contributory pursuant to Article 11 of this Code, additional square footage above

25

1 that permitted by the base floor area ratio limits set forth above may be approved for  
2 construction of dwellings on the site of the building affordable for 20 years to households  
3 whose incomes are within 150 percent of the median income as defined herein, in accordance  
4 with the conditional use procedures and criteria as provided in Section 303 of this Code.

5 (1) Any dwelling approved for construction under this provision shall be deemed a  
6 "designated unit" as defined below. Prior to the issuance by the Director of the Department of  
7 Building Inspection ("Director of Building Inspection") of a site or building permit to construct  
8 any designated unit subject to this Section, the permit applicant shall notify the Director of  
9 Planning and the Director of Property in writing whether the unit will be an owned or rental unit  
10 as defined in Section 313(a) of this Code.

11 (2) Within 60 days after the issuance by the Director of Building Inspection of a site  
12 or building permit for construction of any unit intended to be an owned unit, the Director of  
13 Planning shall notify the City Engineer in writing identifying the intended owned unit, and the  
14 Director of Property shall appraise the fair market value of such unit as of the date of the  
15 appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to  
16 the Director of Planning and the permit applicant. The permit applicant shall supply all  
17 information to the Director of Property necessary to appraise the unit, including all plans and  
18 specifications.

19 (3) Each designated unit shall be subject to the provisions of Section 313(i) of this  
20 Code. For purposes of this Subsection and the application of Section 313(i) of this Code to  
21 designated units constructed pursuant to this Subsection, the definitions set forth in Section  
22 313(a) shall apply, with the exception of the following definitions, which shall supersede the  
23 definitions of the terms set forth in Section 313(a):  
24  
25

1 (A) "Base price" shall mean 3.25 times the median income for a family of four  
2 persons for the County of San Francisco as set forth in California Administrative Code Section  
3 6932 on the date on which a housing unit is sold.

4 (B) "Base rent" shall mean .45 times the median income for the County of San  
5 Francisco as set forth in California Administrative Code Section 6932 for a family of a size  
6 equivalent to the number of persons residing in a household renting a designated unit.

7 (C) "Designated unit" shall mean a housing unit identified and reported to the  
8 Director by the sponsor of an office development project subject to this Subsection as a unit  
9 that shall be affordable to households of low or moderate income for 20 years.

10 (D) "Household of low or moderate income" shall mean a household composed of  
11 one or more persons with a combined annual net income for all adult members which does  
12 not exceed 150 percent of the qualifying limit for a median income family of a size equivalent  
13 to the number of persons residing in such household, as set forth for the County of San  
14 Francisco in California Administrative Code Section 6932.

15 (E) "Sponsor" shall mean an applicant seeking approval for construction of a project  
16 subject to this Subsection and such applicants' successors and assigns.

17 (g) The allowable gross floor area on a lot which is the site of an unlawfully  
18 demolished building that is governed by the provisions of Article 11 shall be the gross floor  
19 area of the demolished building for the period of time set forth in, and in accordance with the  
20 provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by  
21 this Section.

22 (h) In calculating the permitted floor area of a new structure in a C-3 District, the lot  
23 on which an existing structure is located may not be included unless the existing structure and  
24 the new structure are made part of a single development complex, the existing structure is or  
25 is made architecturally compatible with the new structure, and, if the existing structure is in a

1 Conservation District, the existing structure meets or is made to meet the standards of Section  
2 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic  
3 loads and forces of the 1975 Building Code. Determinations under this Paragraph shall be  
4 made in accordance with the provisions of Section 309.

5 (i) In calculating allowable gross floor area on a preservation lot from which any  
6 TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be  
7 decreased by the amount of gross floor area transferred.

8 (j) Within any RSD, SPD, SLR, SLI or SSO District, live/work units constructed  
9 above the floor area ratio limit pursuant to Section 102.9(b)(19) of this Code shall be subject  
10 to the following conditions and standards:

11 (1) Considering all dwelling units and all live/work units on the lot, existing and to be  
12 constructed, there shall be no more than one live/work unit and/or dwelling unit per 200  
13 square feet of lot area, except that, for projects in the RSD District which will exceed 40 feet in  
14 height, and therefore are required to obtain conditional use approval, the allowable density for  
15 dwelling units and live/work units shall be established as part of the conditional use  
16 determination; and

17 (2) The parking requirement for live/work units subject to this subsection shall be  
18 equal to that required for dwelling units within the subject district.

19 Section 5. The Planning Code is hereby amended by amending Section 134 to read as  
20 follows:

21 SEC. 134. REAR YARDS, R, NC, C, SPD, M, RSD, SLR, SLI AND SSO DISTRICTS.

22 The rear yard requirements established by this Section 134 shall apply to every  
23 building in an R, NC-1, NC-2 District or Individual Neighborhood Commercial District as noted  
24 in Subsection (a), except those buildings which contain only single room occupancy (SRO) or  
25 live/work units and except in the Bernal Heights Special Use District and Residential



Character Districts to the extent these provisions are inconsistent with the requirements set forth in Section 242 of this Code. With the exception of dwellings in the South of Market base area, containing only SRO units the rear yard requirements of this Section 134 shall also apply to every dwelling in a(n) SPD, RSD, SLR, SLI, SSO, NC-2, NC-3, NC-T, Individual Neighborhood Commercial District as noted in Subsection (a), C or M District. Rear yards shall not be required in NC-S Districts. These requirements are intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

(a) Basic Requirements. The basic rear yard requirements shall be as follows for the districts indicated:

(1) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C, M, RED, SPD, RSD, SLR, SLI and SSO Districts. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet. For buildings containing only SRO units in the South of Market base area, the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but the required rear yard of SRO buildings not exceeding a height of 65 feet shall be reduced in specific situations as described in Subsection (c) below.

(A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley, and West Portal Avenue Districts. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

(B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission Districts. Rear yards shall be provided at

1 the second story, and at each succeeding story of the building, and at the first story if it  
2 contains a dwelling unit.

3 (C) RC-2, RC-3, RC-4, NC-3, NC-T, Broadway, Hayes-Gough, Upper Market Street,  
4 Polk Street, C, M, RED, SPD, RSD, SLR, SLI and SSO Districts. Rear yards shall be  
5 provided at the lowest story containing a dwelling unit, and at each succeeding level or story  
6 of the building.

7 (2) RH-2, RH-3, RM-1 and RM-2 Districts. The minimum rear yard depth shall be  
8 equal to 45 percent of the total depth of the lot on which the building is situated, except to the  
9 extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards  
10 shall be provided at grade level and at each succeeding level or story of the building.

11 (b) Permitted Obstructions. Only those obstructions specified in Section 136 of this  
12 Code shall be permitted in a required rear yard, and no other obstruction shall be constructed,  
13 placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle  
14 shall be parked or stored within any such yard, except as specified in Section 136.

15 (c) Reduction of Requirements in RH-2, RH-3, RM-1 and RM-2 Districts. The rear  
16 yard requirement stated in Paragraph (a)(2) above, for RH-2, RH-3, RM-1 and RM-2 Districts,  
17 and as stated in Paragraph (a)(1) above, for single room occupancy buildings in the South of  
18 Market base area not exceeding a height of 65 feet, shall be reduced in specific situations as  
19 described in this Subsection (c), based upon conditions on adjacent lots. Except for those  
20 SRO buildings referenced above in this paragraph whose rear yard can be reduced in the  
21 circumstances described in Subsection (c) to a 15-foot minimum, under no circumstances,  
22 shall the minimum rear yard be thus reduced to less than a depth equal to 25 percent of the  
23 total depth of the lot on which the building is situated, or to less than 15 feet, whichever is  
24 greater.

1           (1)     General Rule. In such districts, the forward edge of the required rear yard shall  
2     be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an  
3     average between the depths of the rear building walls of the two adjacent buildings. Except for  
4     single room occupancy buildings in the South of Market base area, in any case in which a rear  
5     yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the  
6     subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of  
7     this Code, or to such lesser height as may be established by Section 261 of this Code.

8           (2)     Alternative Method of Averaging. If, under the rule stated in Paragraph (c)(1)  
9     above, a reduction in the required rear yard is permitted, the reduction may alternatively be  
10    averaged in an irregular manner; provided that the area of the resulting reduction shall be no  
11    more than the product of the width of the subject lot along the line established by Paragraph  
12    (c)(1) above times the reduction in depth of rear yard permitted by Paragraph (c)(1); and  
13    provided further that all portions of the open area on the part of the lot to which the rear yard  
14    reduction applies shall be directly exposed laterally to the open area behind the adjacent  
15    building having the lesser depth of its rear building wall.

16          (3)     Method of Measurement. For purposes of this Subsection (c), an “adjacent  
17    building” shall mean a building on a lot adjoining the subject lot along a side lot line. In all  
18    cases the location of the rear building wall of an adjacent building shall be taken as the line of  
19    greatest depth of any portion of the adjacent building which occupies at least ½ the width  
20    between the side lot lines of the lot on which such adjacent building is located, and which has  
21    a height of at least 20 feet above grade, or two stories, whichever is less, excluding all  
22    permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining  
23    the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an  
24    RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, RED, SPD, RSD, SLR, SLI, SSO, NC, C, M or P  
25    District, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be

1 considered to have an adjacent building upon it whose rear building wall is at a depth equal to  
2 75 percent of the total depth of the subject lot.

3 (4) Applicability to Special Lot Situations. In the following special lot situations, the  
4 general rule stated in Paragraph (c)(1) above shall be applied as provided in this Paragraph  
5 (c)(4), and the required rear yard shall be reduced if conditions on the adjacent lot or lots so  
6 indicate and if all other requirements of this Section 134 are met.

7 (A) Corner Lots and Lots at Alley Inter-sections. On a corner lot as defined by this  
8 Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the  
9 required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear  
10 building wall of the one adjacent building.

11 (B) Lots Abutting Properties with Buildings that Front on Another Street or Alley. In  
12 the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts  
13 on another street or alley, the lot on which it so abuts shall be disregarded, and the forward  
14 edge of the required rear yard shall be reduced to a line on the subject lot which is at the  
15 depth of the rear building wall of the one adjacent building fronting on the same street or alley.  
16 In the case of any lot that abuts along both its side lot lines upon lots with buildings that front  
17 on another street or alley, both lots on which it so abuts shall be disregarded, and the  
18 minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of  
19 the subject lot, or 15 feet, whichever is greater.

20 (C) Through Lots Abutting Properties that Contain Two Buildings. Where a lot is a  
21 through lot having both its front and its rear lot line along streets, alleys, or a street and an  
22 alley, and both adjoining lots are also through lots, each containing two dwellings or group  
23 housing structures that front at opposite ends of the lot, the subject through lot may also have  
24 two buildings according to such established pattern, each fronting at one end of the lot,  
25 provided all the other requirements of this Code are met. In such cases the rear yard required

1 by this Section 134 for the subject lot shall be located in the central portion of the lot, between  
2 the two buildings on such lot, and the depth of the rear wall of each building from the street or  
3 alley on which it fronts shall be established by the average of the depths of the rear building  
4 walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the  
5 total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25  
6 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater.  
7 Furthermore, in all cases in which this Subparagraph (c)(4)(C) is applied, the requirements of  
8 Section 132 of this Code for front setback areas shall be applicable along both street or alley  
9 frontages of the subject through lot.

10 (d) Reduction of Requirements in C-3 Districts. In C-3 Districts, an exception to the  
11 rear yard requirements of this Section may be allowed, in accordance with the provisions of  
12 Section 309, provided that the building location and configuration assure adequate light and  
13 air to windows within the residential units and to the usable open space provided.

14 (e) Modification of Requirements in NC and South of Market Districts. The rear yard  
15 requirements in NC and South of Market Districts may be modified or waived in specific  
16 situations as described in this Subsection (e).

17 (1) General. The rear yard requirement in NC Districts may be modified or waived  
18 by the Zoning Administrator pursuant to the procedures which are applicable to variances, as  
19 set forth in Sections 306.1 through 306.5 and 308.2, in the case of NC Districts, and in  
20 accordance with Section 307(g), in the case of South of Market Districts if all of the following  
21 criteria are met for both NC and South of Market Districts:

22 (A) Residential uses are included in the new or expanding development and a  
23 comparable amount of usable open space is provided elsewhere on the lot or within the  
24 development where it is more accessible to the residents of the development; and  
25

1 (B) The proposed new or expanding structure will not significantly impede the  
2 access of light and air to and views from adjacent properties; and

3 (C) The proposed new or expanding structure will not adversely affect the interior  
4 block open space formed by the rear yards of adjacent properties.

5 (2) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this  
6 Code, or on a lot at the intersection of a street and an alley of at least 25 feet in width, the  
7 required rear yard may be substituted with an open area equal to 25 percent of the lot area  
8 which is located at the same levels as the required rear yard in an interior corner of the lot, an  
9 open area between two or more buildings on the lot, or an inner court, as defined by this  
10 Code, provided that the Zoning Administrator determines that all of the criteria described  
11 below in this Paragraph are met.

12 (A) Each horizontal dimension of the open area shall be a minimum of 15 feet.

13 (B) The open area shall be wholly or partially contiguous to the existing midblock  
14 open space formed by the rear yards of adjacent properties.

15 (C) The open area will provide for the access to light and air to and views from  
16 adjacent properties.

17 (D) The proposed new or expanding structure will provide for access to light and air  
18 from any existing or new residential uses on the subject property.

19 The provisions of this Paragraph 2 of Subsection (e) shall not preclude such additional  
20 conditions as are deemed necessary by the Zoning Administrator to further the purposes of  
21 this Section.

22 (f) Reduction of Requirements in the North of Market Residential Special Use  
23 District. The rear yard requirement may be substituted with an equivalent amount of open  
24 space situated anywhere on the site, provided that the Zoning Administrator determines that  
25 all of the following criteria are met:

1           (1)    The substituted open space in the proposed new or expanding structure will  
2 improve the access of light and air to and views from existing abutting properties; and

3           (2)    The proposed new or expanding structure will not adversely affect the interior  
4 block open space formed by the rear yards of existing abutting properties.

5           This provision shall be administered pursuant to the notice and hearing procedures  
6 which are applicable to variances as set forth in Sections 306.1 through 306.5 and 308.2.

7           Section 6. The Planning Code is hereby amended by amending Section 135 to read as  
8 follows:

9           SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING,  
10 R, NC, MIXED USE, C, AND M DISTRICTS.

11          Except as provided in Sections 134.1, 172 and 188 of this Code, usable open space  
12 shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use,  
13 and M Districts according to the standards set forth in this Section.

14          (a)    Character of Space Provided. Usable open space shall be composed of an  
15 outdoor area or areas designed for outdoor living, recreation or landscaping, including such  
16 areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably  
17 surfaced and screened, and which conform to the other requirements of this Section. Such  
18 area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing)  
19 they serve, and shall be designed and oriented in a manner that will make the best practical  
20 use of available sun and other climatic advantages. "Private usable open space" shall mean  
21 an area or areas private to and designed for use by only one dwelling unit (or bedroom in  
22 group housing). "Common usable open space" shall mean an area or areas designed for use  
23 jointly by two or more dwelling units (or bedrooms in group housing). In the Rincon Hill Special  
24 Use District, Residential Subdistrict, open space shall be provided as specified in Section  
25 249.1(c)(4).

1 (b) Access. Usable open space shall be as close as is practical to the dwelling unit  
2 (or bedroom in group housing) for which it is required, and shall be accessible from such  
3 dwelling unit or bedroom as follows:

4 (1) Private usable open space shall be directly and immediately accessible from  
5 such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling  
6 unit or bedroom, with no more than one story above or below such floor level with convenient  
7 private access.

8 (2) Common usable open space shall be easily and independently accessible from  
9 such dwelling unit or bedroom, or from another common area of the building or lot.

10 (c) Permitted Obstructions. In the calculation of either private or common usable  
11 open space, those obstructions listed in Sections 136 and 136.1 of this Code for usable open  
12 space shall be permitted.

13 (d) Amount Required. Usable open space shall be provided for each building in the  
14 amounts specified herein and in Table 135 for the district in which the building is located;  
15 provided, however, that in the Rincon Hill Special Use District, Residential Sub-district, open  
16 space shall be provided in the amounts specified in Section 249.1(c)(4).

17 In Neighborhood Commercial Districts, the amount of usable open space to be  
18 provided shall be the amount required in the nearest Residential District, but the minimum  
19 amount of open space required shall be in no case greater than the amount set forth in Table  
20 135 for the district in which the building is located. The distance to each Residential District  
21 shall be measured from the midpoint of the front lot line or from a point directly across the  
22 street therefrom, whichever requires less open space.

23 (1) For dwellings other than SRO dwellings, except as provided in Paragraph (d)(3)  
24 below, the minimum amount of usable open space to be provided for use by each dwelling  
25 unit shall be as specified in the second column of the table if such usable open space is all



private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.

(2) For group housing structures and SRO units, the minimum amount of usable open space provided for use by each bedroom shall be the amount required for a dwelling unit as specified in Paragraph (d)(1) above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(3) For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be ½ the amount required for each dwelling unit as specified in Paragraph (d)(1) above.

TABLE 135		
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING		
District	Square Fee of Useable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33

1	RH-2	125	1.33
2	RH-3	100	1.33
3	RM-1, RC-1	100	1.33
4	RM-2, RC-2, SPD	80	1.33
5	RM-3, RC-3, RED	60	1.33
6	RM-4, RC-4, RSD	36	1.33
7	C-3, C-M, SLR, SLI, SSO,	36	1.33
8	M-1, M-2		

10	District	Square Fee of Useable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
13	C-1, C-2	Same as for the R District establishing the dwelling unit density ratio for the C-1 or C-2 District property	
17	NC-1, NC-2, NC-S, Sacramento Street, West Portal Avenue	100	1.33
20	NC-3, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street,	80	1.33

1	24th Street-Mission, 24th		
2	Street-Noe Valley		
3	<u>NC-T</u>	<u>For buildings with heights of 50</u>	<u>1.33</u>
4		<u>feet and under, 60; for buildings</u>	
5		<u>with heights over 50 feet, 36</u>	
6	Broadway, Hayes-Gough,	60	1.33
7	Upper Market Street, North		
8	Beach, Polk Street		
9	Chinatown Community	48	1.00
10	Business, Chinatown		
11	Residential Neighborhood		
12	Commercial, Chinatown		
13	Visitor Retail		

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(f) Private Usable Open Space: Additional Standards.

(1) Minimum Dimensions and Minimum Area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

(2) Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

(A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.

1 (B) In addition, the area credited on a deck, balcony, porch or roof must either face  
2 a street, face or be within a rear yard, or face or be within some other space which at the level  
3 of the private usable open space meets the minimum dimension and area requirements for  
4 common usable open space as specified in Paragraph 135(g)(1) below.

5 (C) Areas within inner and outer courts, as defined by this Code, must either  
6 conform to the standards of Subparagraph (f)(2)(B) above or be so arranged that the height of  
7 the walls and projections above the court on at least three sides (or 75 percent of the  
8 perimeter, whichever is greater) is such that no point on any such wall or projection is higher  
9 than one foot for each foot that such point is horizontally distant from the opposite side of the  
10 clear space in the court, regardless of the permitted obstruction referred to in Subsection  
11 135(c) above.

12 (3) Fire Escapes as Usable Open Space. Normal fire escape grating shall not be  
13 considered suitable surfacing for usable open space. The steps of a fire escape stairway or  
14 ladder, and any space less than six feet deep between such steps and a wall of the building,  
15 shall not be credited as usable open space. But the mere potential use of a balcony area for  
16 an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing)  
17 shall not prevent it from being credited as usable open space on grounds of lack of privacy or  
18 usability.

19 (4) Use of Solariums. In C-3 Districts, the area of a totally or partially enclosed  
20 solarium shall be credited as private usable open space if (i) such area is open to the  
21 outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii)  
22 not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can  
23 be opened to the air.

24 (g) Common Usable Open Space: Additional Standards.  
25

1           (1)     Minimum Dimensions and Minimum Area. Any space credited as common  
2     usable open space shall be at least 15 feet in every horizontal dimension and shall have a  
3     minimum area of 300 square feet.

4           (2)     Use of Inner Courts. The area of an inner court, as defined by this Code, may be  
5     credited as common usable open space, if the enclosed space is not less than 20 feet in  
6     every horizontal dimension and 400 square feet in area; and if (regardless of the permitted  
7     obstructions referred to in Subsection 135(c) above) the height of the walls and projections  
8     above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is  
9     such that no point on any such wall or projection is higher than one foot for each foot that  
10    such point is horizontally distant from the opposite side of the clear space in the court.

11          (3)     Use of Solariums. The area of a totally or partially enclosed solarium may be  
12    credited as common usable open space if the space is not less than 15 feet in every  
13    horizontal dimension and 300 square feet in area; and if such area is exposed to the sun  
14    through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent  
15    of its overhead area; provided, however, that the Rincon Hill Special Use District, Residential  
16    Subdistrict, open space credit for solariums shall be as provided in Section 249.1(c)(4)(E).

17          Section 7. The Planning Code is hereby amended by amending Section 151 to read as  
18    follows:

19          SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.

20          Off-street parking spaces shall be provided in the minimum quantities specified in the  
21    following table, except as otherwise provided in Section 161 of this Code. Where the building  
22    or lot contains uses in more than one of the categories listed, parking requirements shall be  
23    calculated in the manner provided in Section 153 of this Code. Where off-street parking is  
24    provided which exceeds certain amounts in relation to the quantities specified in this table, as  
25    set forth in Section 204.5 of this Code, such parking shall be classified not as accessory

1 parking but as either a principal or a conditional use, depending upon the use provisions  
2 applicable to the district in which the parking is located. In considering an application for a  
3 conditional use for any such parking, due to the amount being provided, the City Planning  
4 Commission shall consider the criteria set forth in Section 157 of this Code.

5 Table 151  
6 OFF-STREET PARKING SPACES REQUIRED  
7

8 Use or Activity	9 Number of Off Street Parking Spaces Required
10 Dwelling, except as specified below, 11 and except in the Bernal Heights 12 Special Use District as provided in 13 Section 242	One for each dwelling unit.
14 Dwelling, RC-4, RSD and C-3 Districts, 15 except in the Van Ness Special Use 16 District	One for each four dwelling unit
17 <u>Dwelling, NC-T and Transit Intensive</u> 18 <u>Special Use Districts</u>	<u>None required with a maximum of one for</u> 19 <u>each dwelling unit</u>
20 Dwelling, specifically designed for and 21 occupied by senior citizens or 22 physically handicapped persons, as 23 defined and regulated by Section 24 209.1(m) of this Code	One-fifth the number of spaces specified above for the district in which the dwelling is located.

1	Group housing of any kind	One for each three bedrooms or for
2		which six beds, whichever results in the
3		greater requirement, plus one for the
4		manager's dwelling unit if any with a
5		minimum of two spaces required.
6	SRO units	In the South of Market base area, one
7		for each 20 units, plus one for the
8		manager's dwelling unit, if any with a
9		minimum of two spaces.
10	Hotel, inn or hostel in NC Districts	0.8 for each guest bedroom.
11	Hotel, inn or hostel in districts other	One for each 16 guest bedrooms
12	than NC	where the number of guest bedrooms
13		exceeds 23, plus one for the manager's
14		dwelling unit, if any.
15	Motel	One for each guest unit, plus one for
16		the manager's dwelling unit, if any.
17	Mobile home park	One for each vehicle or structure in
18		such park, plus one for the manager's
19		dwelling unit if any.
20		
21	Hospital or other inpatient medical	One for each 16 guest excluding
22	institution	bassinets or for each 2,400 square feet
23		of gross floor area devoted to sleeping
24		rooms, whichever results in the greater
25		

	requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	One for each 10 residents, where the number of residents exceeds nine.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each six classrooms.
Secondary school	One for each two classrooms.
Post-secondary educational institution	One for each two classrooms.
Church or other religious institutions	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.

Theater or auditorium	One for each eight seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or outpatient clinic	One for each 300 square feet of occupied floor area, where the



	occupied floor area exceeds 5,000 square feet, <u>except one for each 300 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Offices or studios of architects, engineers, interior designers and other design professionals and studios of graphic artists	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 1,000 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Other business office	One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, except one for each 750 square feet within the SSO District, where the occupied floor area exceeds 5,000 square feet, <u>and one for each 500 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Restaurant, bar, nightclub, pool hall, dancehall, bowling alley or other similar	One for each 200 square feet of occupied floor area, where the

enterprise	occupied floor area exceeds 5,000 square feet, <u>except one for each 200 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 1,000 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 4,000 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, <u>except one for each 500 square feet of occupied floor area up to</u>

	<p><u>20,000 within NC-T Districts, where the occupied floor area exceeds 10,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.</u></p>
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Service, repair or wholesale sales space, including personal, home or business service space in South of Market Districts	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 1,000 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet.</u>
Mortuary	Five.
Storage or warehouse space, and space devoted to any use first permitted in an M-2 District	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
Arts activities and spaces except theater or auditorium spaces	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, <u>except one for each 2,000 square feet of occupied floor area within NC-T Districts, where the occupied floor</u>

	<u>area exceeds 10,000 square feet.</u>
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Live/work units	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, <u>except one for each 2,000 square feet of occupied floor area within NC-T Districts, where the occupied floor area exceeds 10,000 square feet and</u> except in RH or RM Districts, within which the requirement shall be one space for each live/work unit.

Section 8. The Planning Code is hereby amended by amending Section 208 to read as follows:

**SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING.**

Except for single room occupancy units in the South of Market Special Use District, the density limitations for group housing, as described in Sections 209.2(a), (b), and (c), 790.88(b) and 890.88(b) of this Code, shall be as follows:

(a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located, except that for lots in NC Districts, the group housing density shall not exceed the number of bedrooms permitted in the nearest

Residential District provided that the maximum density not be less than the amount permitted by the ratio specified for the NC District in which the lot is located.

Table 208

MAXIMUM DENSITY FOR GROUP HOUSING

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
RH-2	415
RH-3, RM-1, RC-1	275
RM-2, RC-2	210
RM-3, RC-3	140
RM-4, RC-4	70
NC-1	275
NC-2	
NC-S	
Sacramento Street	
West Portal Avenue	
NC-3	210
NC-S	
Castro Street	
Inner Clement Street	
Outer Clement Street	
Upper Fillmore Street	
Haight Street	

1	Union Street	
2	Valencia Street	
3	24th Street-Mission	
4	24th Street-Noe Valley	
5	<u>NC-T</u>	140
6	Broadway	
7	Hayes-Gough	
8	Upper Market Street	
9	North Beach	
10	Polk Street	
11	Chinatown Community Business	70
12	Chinatown Residential	
13	Neighborhood Commercial	
14	Chinatown Visitor Retail	
15	RED	140
16	RSD, SLR, SLI and SSO	70
17	SPD	210

(b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(c) The rules for calculation of dwelling unit densities set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, except that in NC

1 Districts, any remaining fraction of ½ or more of the maximum amount of lot area per bedroom  
2 shall be adjusted upward to the next higher whole number of bedrooms.

3 Section 8. The Planning Code is hereby amended by amending Section 607.1 to read  
4 as follows:

5 SEC. 607.1. NEIGHBORHOOD COMMERCIAL DISTRICTS.

6 Signs located in Neighborhood Commercial Districts shall be regulated as provided  
7 herein, except for those signs which are exempted by Section 603 of this Code. In the event  
8 of conflict between the provisions of Section 607.1 and other provisions of Article 6, the  
9 provisions of Section 607.1 shall prevail in Neighborhood Commercial Districts, provided that  
10 with respect to properties also located in the Upper Market Special Sign District, the  
11 provisions of Section 608.10 of this Code shall prevail.

12 (a) Purposes and Findings. In addition to the purposes stated in Sections 101 and  
13 601 of this Code, the following purposes apply to Neighborhood Commercial Districts. These  
14 purposes constitute findings that form a basis for regulations and provide guidance for their  
15 application.

16 (1) As Neighborhood Commercial Districts change, they need to maintain their  
17 attractiveness to customers and potential new businesses alike. Physical amenities and a  
18 pleasant appearance will profit both existing and new enterprises.

19 (2) The character of signs and other features projecting from buildings is an  
20 important part of the visual appeal of a street and the general quality and economic stability of  
21 the area. Opportunities exist to relate these signs and projections more effectively to street  
22 design and building design. These regulations establish a framework that will contribute  
23 toward a coherent appearance of Neighborhood Commercial Districts.

24 (3) Neighborhood Commercial Districts are typically mixed use areas with  
25 commercial units on the ground or lower stories and residential uses on upper stories.

1 Although signs and other advertising devices are essential to a vital commercial district, they  
2 should not be allowed to interfere with or diminish the livability of residential units within a  
3 Neighborhood Commercial District or in adjacent residential districts.

4 (4) The scale of most Neighborhood Commercial Districts as characterized by  
5 building height, bulk, and appearance, and the width of streets and sidewalks differs from that  
6 of other commercial and industrial districts. Sign sizes should relate and be compatible with  
7 the surrounding district scale.

8 (b) Signs or Sign Features Not Permitted in NC Districts. Roof signs as defined in  
9 Section 602.16 of this Code, wind signs as defined in Section 602.22 of this Code, and signs  
10 on canopies, as defined in Section 136.1(b) of this Code, are not permitted in NC Districts. No  
11 sign shall have or consist of any moving, rotating, or otherwise physically animated part, or  
12 lights that give the appearance of animation by flashing, blinking, or fluctuating, except as  
13 permitted by Section 607.1(i) of this Code. In addition, all signs or sign features not otherwise  
14 specifically regulated in this Section 607.1 shall be prohibited.

15 (c) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be  
16 permitted in all Neighborhood Commercial Districts subject to the limits set forth below.

17 (1) One sign per lot shall be permitted and such sign shall not exceed 20 square  
18 feet in area. The sign may be a freestanding sign, if the building is recessed from the street  
19 property line, or may be a wall sign or a projecting sign. The existence of a freestanding  
20 identifying sign shall preclude the erection of a freestanding business sign on the same lot. A  
21 wall or projecting sign shall be mounted on the first-story level; a freestanding sign shall not  
22 exceed 15 feet in height. Such sign may be nonilluminated, indirectly illuminated, or directly  
23 illuminated.

24 (2) One sign identifying a shopping center or shopping mall shall be permitted  
25 subject to the conditions in Paragraph (1), but shall not exceed 30 square feet in area. Any



1 sign identifying a permitted use listed in zoning categories .40 through .70 in Section 703.2(a)  
2 in an NC District shall be considered a business sign and subject to Section 607.1(f) of this  
3 Code. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated during  
4 the hours of operation of the businesses in the shopping center or shopping mall.

5 (d) Nameplates. One nameplate, as defined in Section 602.12 of this Code, not  
6 exceeding an area of two square feet, shall be permitted for each noncommercial use in NC  
7 Districts.

8 (e) General Advertising Signs. General advertising signs, as defined in Section  
9 602.7, shall be permitted in Neighborhood Commercial Districts, except in the Inner Sunset  
10 Neighborhood Commercial District where they are not permitted, as provided for below. In NC  
11 Districts where such signs are permitted, general advertising signs may be either a wall sign  
12 or freestanding, provided that the surface of any freestanding sign shall be parallel to and  
13 within three feet of an adjacent building wall. In either case, the building wall shall form a  
14 complete backdrop for the sign, as the sign is viewed from all points from a street or alley from  
15 which it is legible. No general advertising sign shall be permitted to cover part or all of any  
16 windows. Any extension of the copy beyond the rectangular perimeter of the sign shall be  
17 included in the calculation of the sign, as defined in Section 602.1(a) of this Code.

18 (1) NC-2 and NC-S Districts. No more than one general advertising sign shall be  
19 permitted per lot or in NC-S Districts, per district. Such sign shall not exceed 72 square feet in  
20 area nor exceed 12 feet in height. Such sign may be either nonilluminated or indirectly  
21 illuminated.

22 (2) NC-3 District and Broadway Districts. No more than one general advertising sign  
23 not exceeding 300 square feet or two general advertising signs of 72 square feet each shall  
24 be permitted per lot. The height of any such sign shall not exceed 24 feet, or the height of the  
25 wall to which it is attached, or the height of the lowest of any residential windowsills on the

1 wall to which it is attached, whichever is lower, if a wall sign, or the adjacent wall or the top of  
2 the adjacent wall if a freestanding sign, whichever is lower.

3 (A) NC-3 Districts. Signs may be either nonilluminated or indirectly illuminated.

4 (f) Business Signs. Business signs, as defined in Section 602.3 shall be permitted  
5 in all Neighborhood Commercial Districts subject to the limits set forth below.

6 (1) NC-1 Districts.

7 (A) Window Signs. The total area of all window signs, as defined in Section  
8 602.1(b), shall not exceed the area of the window on or in which the signs are located. Such  
9 signs may be nonilluminated, indirectly illuminated, or directly illuminated.

10 (B) Wall Signs. The area of all wall signs shall not exceed one square foot per  
11 square foot of street frontage occupied by the business measured along the wall to which the  
12 signs are attached, or 50 square feet for each street frontage, whichever is less. The height of  
13 any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such  
14 signs may be nonilluminated or indirectly illuminated; or during business hours, may be  
15 directly illuminated.

16 (C) Projecting Signs. The number of projecting signs shall not exceed one per  
17 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square  
18 feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is  
19 attached. No part of the sign shall project more than 75 percent of the horizontal distance from  
20 the street property line to the curblin, or six feet six inches, whichever is less. The sign may  
21 be nonilluminated or indirectly illuminated, or during business hours, may be directly  
22 illuminated.

23 (D) Signs on Awnings. Sign copy may be located on permitted awnings in lieu of  
24 wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c)

1 shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly  
2 illuminated.

3 (2) NC-2, NC-T, NC-S, Broadway, Castro Street, Inner Clement Street, Outer  
4 Clement Street, Upper Fillmore Street, Inner Sunset, Haight Street, Hayes-Gough, Upper  
5 Market Street, North Beach, Polk Street, Sacramento Street, Union Street, Valencia Street,  
6 24th Street-Mission, 24th Street-Noe Valley, and West Portal Avenue Neighborhood  
7 Commercial Districts.

8 (A) Window Signs. The total area of all window signs, as defined in Section  
9 602.1(b), shall not exceed the area of the window on or in which the signs are located. Such  
10 signs may be nonilluminated, indirectly illuminated, or directly illuminated.

11 (B) Wall Signs. The area of all wall signs shall not exceed two square feet per foot  
12 of street frontage occupied by the use measured along the wall to which the signs are  
13 attached, or 100 square feet for each street frontage, whichever is less. The height of any wall  
14 sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of  
15 the lowest of any residential windowsill on the wall to which the sign is attached, whichever is  
16 lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

17 (C) Projecting Signs. The number of projecting signs shall not exceed one per  
18 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square  
19 feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is  
20 attached, or the height of the lowest of any residential windowsill on the wall to which the sign  
21 is attached, whichever is lower. No part of the sign shall project more than 75 percent of the  
22 horizontal distance from the street property line to the curbline, or six feet six inches,  
23 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
24 business hours, may be directly illuminated.

1 (D) Signs on Awnings and Marquees. Sign copy may be located on permitted  
2 awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in  
3 Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be nonilluminated or  
4 indirectly illuminated; except that sign copy on marquees for movie theaters or places of  
5 entertainment may be directly illuminated during business hours.

6 (E) Freestanding Signs and Sign Towers. With the exception of automotive gas and  
7 service stations, which are regulated under Paragraph 607.1(f)(4), one freestanding sign or  
8 sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are  
9 recessed from the street property line. The existence of a freestanding business sign shall  
10 preclude the erection of a freestanding identifying sign on the same lot. The area of such  
11 freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square  
12 feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than  
13 75 percent of the horizontal distance from the street property line to the curblin, or six feet,  
14 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during  
15 business hours, may be directly illuminated.

16 (3) NC-3 Neighborhood Commercial District.

17 (A) Window Signs. The total area of all window signs, as defined in Section  
18 602.1(b), shall not exceed the area of the window on or in which the signs are located. Such  
19 signs may be nonilluminated, indirectly illuminated, or directly illuminated.

20 (B) Wall Signs. The area of all wall signs shall not exceed three square feet per foot  
21 of street frontage occupied by the use measured along the wall to which the signs are  
22 attached, or 150 square feet for each street frontage, whichever is less. The height of any wall  
23 sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of  
24 the lowest of any residential windowsill on the wall to which the sign is attached, whichever is  
25 lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

1 (C) Projecting Signs. The number of projecting signs shall not exceed one per  
2 business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32 square  
3 feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is  
4 attached, or the height of the lowest of any residential windowsill on the wall to which the sign  
5 is attached, whichever is lower. No part of the sign shall project more than 75 percent of the  
6 horizontal distance from the street property line to the curblin, or six feet six inches,  
7 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

8 (D) Sign Copy on Awnings and Marquees. Sign copy may be located on permitted  
9 awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in  
10 Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be nonilluminated or  
11 indirectly illuminated; except that sign copy on marquees for movie theaters or places of  
12 entertainment may be directly illuminated during business hours.

13 (E) Freestanding Signs and Sign Towers With the exception of automotive gas and  
14 service stations, which are regulated under Paragraph 607.1(f)(4) of this Code, one  
15 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the  
16 building or buildings are recessed from the street property line. The existence of a  
17 freestanding business sign shall preclude the erection of a freestanding identifying sign on the  
18 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),  
19 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the  
20 sign shall project more than 75 percent of the horizontal distance from the street property line  
21 to the curblin, or six feet, whichever is less. Such signs may be nonilluminated or indirectly  
22 illuminated, or during business hours, may be directly illuminated.

23 (4) Special Standards for Automotive Gas and Service Stations. For automotive gas  
24 and service stations in Neighborhood Commercial Districts, only the following signs are  
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1 permitted, subject to the standards in this Paragraph (f)(4) and to all other standards in this  
2 Section 607.1.

3 (A) A maximum of two oil company signs, which shall not extend more than 10 feet  
4 above the roofline if attached to a building, or exceed the maximum height permitted for  
5 freestanding signs in the same district if freestanding. The area of any such sign shall not  
6 exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that  
7 are within 10 feet of the street property line shall not exceed 80 square feet in area. No such  
8 sign shall project more than five feet beyond any street property line. The areas of other  
9 permanent and temporary signs as covered in Subparagraph (B) below shall not be included  
10 in the calculation of the areas specified in this Subparagraph.

11 (B) Other permanent and temporary business signs, not to exceed 30 square feet in  
12 area for each such sign or a total of 180 square feet for all such signs on the premises. No  
13 such sign shall extend above the roofline if attached to a building, or in any case project  
14 beyond any street property line or building setback line.

15 (g) Temporary Signs. One temporary nonilluminated or indirectly illuminated sale or  
16 lease sign or nonilluminated sign of persons and firms connected with work on buildings under  
17 actual construction or alteration, giving their names and information pertinent to the project  
18 per lot, shall be permitted. Such sign shall not exceed 50 square feet and shall conform to all  
19 regulations of Subsection 607.1(f) for business signs in the respective NC District in which the  
20 sign is to be located. All temporary signs shall be promptly removed upon completion of the  
21 activity to which they pertain.

22 (h) Special Sign Districts. Additional controls apply to certain Neighborhood  
23 Commercial Districts that are designated as Special Sign Districts. Special Sign Districts are  
24 described within Sections 608.1 through 608.11 of this Code and with the exception of  
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1 Sections 608.1, 608.2 and 608.11, their designations, locations and boundaries are provided  
2 on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

3 (i) Restrictions on Illumination. Signs in Neighborhood Commercial Districts shall  
4 not have nor consist of any flashing, blinking, fluctuating or other-wise animated light except  
5 those moving or rotating or otherwise physically animated parts used for rotation of barber  
6 poles and the indication of time of day and temperature, and in the following special districts,  
7 all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of  
8 the Zoning Map of the City and County of San Francisco.

9 (1) Broadway Neighborhood Commercial District. Along the main commercial  
10 frontage of Broadway between west of Columbus Avenue and Osgood Place.

11 (2) NC-3. NC-3 District along Lombard Street from Van Ness Avenue to Broderick  
12 Street.

13 (j) Other Sign Requirements. Within Neighborhood Commercial Districts, the  
14 following additional requirements shall apply:

15 (1) Public Areas. No sign shall be placed upon any public street, alley, sidewalk,  
16 public plaza or right-of-way, or in any portion of a transit system, except such projecting signs  
17 as are otherwise permitted by this Code and signs, structures, and features as are specifically  
18 approved by the appropriate public authorities under applicable laws and regulations not  
19 inconsistent with this Code and under such conditions as may be imposed by such authorities.

20 (2) Maintenance. Every sign pertaining to an active establishment shall be  
21 adequately maintained in its appearance. When the activity for which the business sign has  
22 been posted has ceased operation for more than 90 days within the Chinatown Mixed Use  
23 Districts, all signs pertaining to that business activity shall be removed after that time.

24 (3) Temporary Signs. The provisions of Section 607.1(g) of this Code shall apply.  
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1 (4) Special Standards for Automotive Gas and Service Stations. The provisions of  
2 Section 607.1(f)(4) of this Code shall apply.

3  
4 APPROVED AS TO FORM:

5 LOUISE H. RENNE, City Attorney

6  
7 By:

8 SUSAN S. CLEVELAND  
9 Deputy City Attorney