

BOARD of SUPERVISORS



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September 26, 2018

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

Dear Commissioners:

On September 18, 2018, Supervisor Mandelman introduced the following legislation:

File No. 180915

Ordinance amending the Planning Code to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

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

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
AnMarie Rodgers, Director of Citywide Planning
Laura Lynch, Environmental Planning
Joy Navarrete, Environmental Planning

1 [Planning Code - Residential Care Facilities]

2
3 **Ordinance amending the Planning Code to allow Residential Care Facilities with seven**
4 **or more persons as a principally permitted use in RH-3 (Residential House, Three-**
5 **Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential**
6 **Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed**
7 **Use Districts; affirming the Planning Department’s determination under the California**
8 **Environmental Quality Act; making findings of consistency with the General Plan, and**
9 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**
10 **public necessity, convenience, and general welfare under Planning Code, Section 302.**

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

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

19 Section 1. Findings.

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

25 (b) On _____, the Planning Commission, in Resolution No. _____,
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

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

Section 2. The Planning Code is hereby amended by revising Zoning Control Tables 209.1, 209.2, 209.3, 209.4, 710, 711, 713, 714, 715, 716, 717, 718, 719, 722, 723, 724, 725, 726, 728, 729, 730, 731, 732, 733, 734, 750, 751, 753, 755, 756, 757, 758, 759, 761, 762, 763, 764, 813, 827, 829, 840, 841, 842, and 844, to read as follows:

SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.

* * * *

**Table 209.1
ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
* * * *						
Institutional Use Category						
Institutional Uses*	§ 102	NP	NP	NP	NP	NP
****	****	****	****	****	****	****
Residential Care Facility	§ 102	P (3)	P (3)	P (3)	P (3)	P (3)

****	****	****	****	****	****	****
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* Not listed below.

* * * *

(3) C required for seven or more persons.

* * * *

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

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**Table 209.2
ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
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* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Institutional Use Category					
Institutional Uses*	§ 102	NP	NP	NP	NP
****	****	****	****	****	****
Residential Care Facility	§ 102	P (3)	P (3)	P (3)	P (3)
****	****	****	****	****	****

* Not listed below.

* * * *

(3) [Note Deleted] C required for seven or more persons.

* * * *

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

2 * * * *

3 **Table 209.3**
ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS

Zoning Category	§ References	RC-3	RC-4
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7 * * * *

8 **NON-RESIDENTIAL STANDARDS AND USES**

9 * * * *

10 **Institutional Use Category**

Institutional Uses*	§ 102	C	C
* * * *	* * * *	* * * *	* * * *
Residential Care Facility	§ 102	P (3)	P (3)
* * * *	* * * *	* * * *	* * * *

15 * Not listed below.

16 * * * *

17 (3) *[Note Deleted] C required for seven or more persons.*

18 * * * *

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

20 * * * *

21 **Table 209.4**
ZONING CONTROL TABLE FOR RTO DISTRICTS

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

NON-RESIDENTIAL STANDARDS AND USES

* * * *

Institutional Use Category

Institutional Uses*	§ 102	NP	NP
****	****	****	****
Residential Care Facility	§ 102	P (3)	P (3)
****	****	****	****

* Not listed below.

* * * *

(3) *[Note Deleted] C required for seven or more persons.*

* * * *

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

* * * *

Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1

ZONING CONTROL TABLE

		NC-1
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL USES		

* * * *

	Controls by Story		
	1st	2nd	3rd+
* * * *			
Institutional Use Category			

Institutional Uses*	§ 102	P	C	NP
****	****	****	****	****
Residential Care Facility	§ 102	P	P (4)	P (4)

* * * *

* Not listed below.

* * * *

(4) *[Note deleted.] C required for 7 or more persons.*

* * * *

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

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

		NC-2
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL USES		

* * * *

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

* * * *

* Not listed below.

* * * *

(3) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

* * * *

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

		NC-S
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P(1)	P(1)	NP(1)
****	****	****	****	****
Residential Care Facility	§ 102	P(1)	P(1)	P(1) (3)

* * * *

* Not listed below.

* * * *

(3) *[Note deleted.] NP for 7 or more persons.*

* * * *

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

2 * * * *

3 **Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT**
 4 **ZONING CONTROL TABLE**

		Broadway NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

17 * * * *

18 * Not listed below.

19 * * * *

20 (3) *[Note deleted.] C required for seven or more persons.*

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22 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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**Table 715. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

		Castro <i>Street</i> NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

* * * *

* Not listed below.

* * * *

(3) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 716. INNER CLEMENT NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		Inner Clement <i>Street</i>
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 717. OUTER CLEMENT NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		Outer Clement <i>Street</i>
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 718 UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		Upper Fillmore <i>Street</i> NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

		Haight Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 722 NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		North Beach NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	NP	P (4)	P (4)

* * * *

* Not listed below.

* * * *

(4) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		Polk Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P(2)	P(2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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1 **Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

		Sacramento Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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

		Union Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
*****	*****	*****	*****	*****
Residential Care Facility	§ 102	P	P ⁽²⁾	P ⁽²⁾

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

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SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

		Pacific Avenue NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	NP	NP	NP
****	****	****	****	****
Residential Care Facility	§ 102	<i>C(2)</i>	<u>P NP</u>	<u>P NP</u>

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] NP for seven or more persons.*

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

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

		24th Street – NoeValley NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

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SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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

		West Portal <u>Avenue</u> NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	C	C	NP
****	****	****	****	****
Residential Care Facility	§ 102	P(2)	P(2)	<u>P</u> NP

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) [Note deleted.] ~~C required for seven or more persons.~~

19 * * * *

20 **SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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

		Inner Sunset NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
*****	*****	*****	*****	*****
Residential Care Facility	§ 102	P	P (2)	P (2)

* * * *

* Not listed below.

* * * *

(2) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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1 **Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

		Noriega Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

21 * * * *

1 **Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

		Irving Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

21 * * * *

1 Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
 2 ZONING CONTROL TABLE

		Taraval Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) *[Note deleted.] C required for seven or more persons.*

19 * * * *

21 **SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

22 * * * *

1 **Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

2 **ZONING CONTROL TABLE**

		Judah Street NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (2)	P (2)

15 * * * *

16 * Not listed below.

17 * * * *

18 (2) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 750. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.**

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1 **Table 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1**
 2 **ZONING CONTROL TABLE**

		NCT-1
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	NP
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons. NP on 3rd floor for seven or more*
 19 *persons.*

20 * * * *

21 **SEC. 751. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT**
 22 **DISTRICT.**

23 * * * *

1 **Table 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2**
 2 **ZONING CONTROL TABLE**

		NCT - 2
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons.*

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20 **SEC. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

		SoMa NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	C	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P (3)	P (3)	P (3)
****	****	****	****	****

* Not listed below.

* * * *

(3) *[Note deleted.] C required for seven or more persons.*

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SEC. 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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1 **Table 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		Ocean Avenue NCD
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P (3)	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

		Glen Park NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
*****	*****	*****	*****	*****
Residential Care Facility	§ 102	P	P (3)	P (3)

* * * *

* Not listed below.

* * * *

(3) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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1 **Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		Folsom Street NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	NP	NP	NP
****	****	****	****	****
Residential Care Facility	§ 102	NP	C(3)	C(3)
****	****	****	****	****

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] NP for seven or more persons.*

19 * * * *

20
 21 **SEC. 758. REGIONAL COMMERCIAL DISTRICT.**

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**Table 758. REGIONAL COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

		Regional Commercial District
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	NP	NP	NP
****	****	****	****	****
Residential Care Facility	§ 102	NP	C(4)	C(4)
****	****	****	****	****

* Not listed below.

* * * *

(4) *[Note deleted.] NP for facilities with seven or more persons.*

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SEC. 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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1 **Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		Divisadero Street NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (4)	P (4)

15 * * * *

16 * Not listed below.

17 * * * *

18 (4) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

21 * * * *

1 **Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		Hayes-Gough NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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Table 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

		Valencia Street NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

* * * *

* Not listed below.

* * * *

(3) *[Note deleted.] C required for seven or more persons.*

* * * *

SEC. 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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1 **Table 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		24th Street - Mission Street NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

		Controls by Story		
		1st	2nd	3rd+
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 21 **DISTRICT.**

22 * * * *

1 **Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 2 **ZONING CONTROL TABLE**

		Upper Market Street NCT
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		

	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Institutional Use Category				
Institutional Uses*	§ 102	P	C	C
****	****	****	****	****
Residential Care Facility	§ 102	P	P (3)	P (3)

15 * * * *

16 * Not listed below.

17 * * * *

18 (3) *[Note deleted.] C required for seven or more persons.*

19 * * * *

20 **SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.**

21 * * * *

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

* * * *			
USES			
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
813.18	Residential Care <i>Facility</i>	§ <u>102 890.50(e)</u>	<u>P</u> NP
* * * *	* * * *	* * * *	* * * *

SEC. 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USED DISTRICT (RH-DTR).

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Table 827 RINCON HILL DOWNTOWN RESIDENTIAL MIXED USED DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Rincon Hill Downtown Residential Mixed Use District Zoning Controls

* * * *			
Non-Residential Standards and Uses			
* * * *			
.30a	Other Institutions, <i>except Residential Care Facility</i>	§ <u>102 890.50</u>	C
.30b	Residential Care <i>Facility</i>	§ <u>102</u>	<u>P</u>
* * * *	* * * *	* * * *	* * * *

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

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Table 829
**SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT
 ZONING CONTROL TABLE**

No.	Zoning Category	§ References	South Beach Downtown Residential <u>Mixed Use</u> District Zoning Controls
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* * * *			
Non-Residential Standards and Uses			
* * * *			
.30a	Other Institutions, <i>except Residential Care Facility</i>	§ <u>102 890.50</u>	C
.30b	<i>Residential Care Facility</i>	§ <u>102</u>	<u>P</u>
* * * *	* * * *	* * * *	* * * *

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

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Table 840
**MUG – MIXED USE-GENERAL DISTRICT
 ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Mixed Use-General District Controls
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* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
840.31	<i>Residential Care Facility</i>	§ <u>102 890.50(e)</u>	<u>P</u> €
* * * *	* * * *	* * * *	* * * *

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

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

No.	Zoning Category	§ References	Mixed Use-Residential District Controls
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* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
841.31	Residential Care <i>Facility</i>	§ <u>102 890.50(e)</u>	<u>P</u> €
* * * *	* * * *	* * * *	* * * *

SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.

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

No.	Zoning Category	§ References	Mixed Use-Office District Controls
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* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
842.31	Residential Care <i>Facility</i>	§ <u>102 890.50(e)</u>	<u>P</u> €
* * * *	* * * *	* * * *	* * * *

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

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Table 844 WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	WSoMa Mixed Use-General District Controls

* * * *			
Institutions			
844.31	Residential Care <i>Facility</i>	§ <u>102 890.50(e)</u>	<i>P C up to 6 beds. NP above</i>
* * * *	* * * *	* * * *	* * * *

Section 3. 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 4. 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: 
JUDITH A. BOYAJIAN
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Residential Care Facilities]

Ordinance amending the Planning Code to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Existing Law

Articles 2, 7 and 8 of the Planning Code contains Tables that set forth the controls that apply to defined uses in various zoning districts. Uses may be principally permitted (P), conditionally permitted (C), or not permitted (NP). In Neighborhood Commercial Districts, uses are further regulated by story – first story, second story, and third story and above. A Residential Care Facility is defined in Planning Code Section 102 as an “Institutional Healthcare Use providing lodging, board and care for a period of 24 hours or more to persons in need of specialized aid by personnel licensed by the State of California. Such facility shall display nothing on or near the facility that gives an outward indication of the nature of the occupancy except for a sign as permitted by Article 6 of this Code, shall not provide outpatient services, and shall be located in a structure which remains residential in character. Such facilities shall include, but not necessarily be limited to, a board and care home, family care home, long-term nursery, orphanage, rest home or home for the treatment of addictive, contagious or other diseases, or psychological disorders.”

In residentially-zoned areas – RH (Residential-House), RC (Residential-Commercial), RM (Residential-Mixed), and RTO (Residential-Transit Oriented) Districts – Residential Care Facilities are principally permitted for six or few persons but require a Conditional Use authorization for seven or more persons. In most Neighborhood Commercial Districts, Residential Care Facilities above the ground floor are principally permitted, but facilities for seven or more persons require a Conditional Use authorization. Residential Care Facilities are not permitted In RED (Residential Enclave Districts), but are conditionally permitted in DTR (Downtown Residential), MUG (Mixed Use-General), MUO (Mixed Use-Office), MUR (Mixed Use-Residential) , and WMUG (WSOMA Mixed Use-General) Districts.

Amendments to Current Law

Residential Care Facilities for seven or more persons will be principally permitted in RH-3 (Three-Family), RC, RM, RTO, DTR, MUG, MUO, MUR, RED and WMUG Districts, and above the ground floor in all Neighborhood Commercial Districts. This ordinance does not

change existing ground floor controls on Residential Care Facilities or the controls in RH-1 (One-Family) or RH-2 (Two Family) Districts.

Background Information

The Planning Code currently classifies Residential Care Facilities as a Non-Residential Institutional Use. Prior to the recent Planning Code reorganizations, Residential Care Facilities were not regulated as a separate use. Instead, facilities for six or fewer persons were grouped with Other Institutions - Small, while those for seven or more persons were grouped with Other Institutions - Large.

In 2016, San Francisco's Post-Acute Care Project recommended expanding opportunities for Residential Care in San Francisco neighborhoods, including Residential Care Facility for the Elderly (RCFE) facilities. However, because Residential Care Facilities are regulated as an Institutional Use, the current controls are an impediment. As an Institutional Use, they are subject to Floor Area Ratio limits in Residential, Neighborhood Commercial, and Mixed Use Districts, as well as to the Non-Residential Use Size limits in Neighborhood Commercial Districts. Conversion of an existing Residential Use to a Residential Care Facility either requires a Conditional Use authorization or is not permitted, depending on the zoning district and the floor of the building. The proposed amendments to the Zoning Control Tables will provide more opportunities to provide Residential Care Facilities in San Francisco.

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