

File No. 190594 Committee Item No. 3
Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date July 29, 2019

Board of Supervisors Meeting Date September 10, 2019
Cmte Board

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Completed by: Erica Major Date July 25, 2019
Completed by: Erica Major Date 8/2/2019

1 [Planning Code - Reorganization of Chinatown Mixed Use Districts]

2
3 **Ordinance amending the Planning Code to revise the zoning control tables of the**
4 **Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7,**
5 **to apply the use definitions in Section 102, to set an abandonment period for use size**
6 **maximums, and to allow General Entertainment and Nighttime Entertainment Uses with**
7 **conditional use authorization; affirming the Planning Department's determination**
8 **under the California Environmental Quality Act; making findings of consistency with**
9 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
10 **adopting findings of public necessity, convenience, and welfare under Planning Code,**
11 **Section 302.**

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

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

20 Section 1. Findings.

21 (a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 190594 and is incorporated herein by reference. The Board affirms
25 this determination.

1 (b) On May 9, 2019, the Planning Commission, in Resolution No. 20449, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 190594, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
7 ordinance will serve the public necessity, convenience, and welfare for the reasons stated in
8 Planning Commission Resolution No. 20449.

9
10 Section 2. The Planning Code is hereby amended by revising Sections 102, 121.4,
11 134.1, 201, 249.25, 249.66, 263.12, 803, 803.2, 809, 810, 811, and 812, to read as follows:

12 **SEC. 102. DEFINITIONS.**

13 **Accessory Use.** A related minor Use that is either necessary to the operation or enjoyment of
14 a lawful Principal Use or Conditional Use, or appropriate, incidental, and subordinate to any
15 such use, and is located on the same lot. Accessory Uses are regulated by Sections 204
16 through 204.5 and Sections 703(d), ~~803.2(b)(1)(C)~~, 803.2(d), 803.3(b)(1)(C), and 825(c)(1)(C)
17 of this Code.

18 * * * *

19 **Conditional (or Conditionally Permitted) Use.** Conditional Use allows the Planning
20 Commission to consider uses or projects that may be necessary or desirable in a particular
21 neighborhood, but which are not allowed as a matter of right within a particular zoning district.
22 Whether a use is conditional in a given district is indicated in this Code. Sections of this Code
23 that govern Conditional Uses include, but are not limited to Sections 178, 179, 303, and
24 303.1.

25 * * * *

1 **SEC. 121.4. NON-RESIDENTIAL USE SIZE LIMITS IN MIXED USE DISTRICTS.**

2 In order to protect and maintain small scale use within an historically significant area
 3 and to conserve neighborhood-serving uses in Chinatown, eCommercial #Uses which exceed
 4 the use size limits up to the maximum limits stated in the table below shall be permitted only
 5 as eConditional #Uses subject to the provisions set forth in Section 303 of this Code. The use
 6 area shall be measured as the gGross fFloor aArea for each individual commercial use.
 7 Individual eCommercial #Uses above the use size maximum below limit shall not be permitted,
 8 and Further, any space that exceeds the use size maximum below shall be deemed abandoned with any
 9 change of use or if no business has been operational for a period of three years or more, except the
 10 maximum use size shall not be deemed abandoned if the change of use is for a Legacy
 11 Business or Institutional Use, or if a Legacy Business or Institutional Use occupies the non-
 12 conforming space after such three year period.

District	Use Size Maximum	Use Size Limit
Chinatown Visitor	5,000 sq. ft.	2,500 sq. ft.
Chinatown Residential Neighborhood Commercial	4,000 sq. ft.	2,500 sq. ft.
Chinatown Community Business	<i>None No Maximum</i>	5,000 sq. ft.

18
 19 In the Chinatown Visitor Retail District, the Use Size limit shall not apply to a
 20 Restaurant.

21 **SEC. 134.1. SITE COVERAGE IN CHINATOWN MIXED USE DISTRICTS —~~CHINATOWN.~~**

22 In the Chinatown Community Business District, Chinatown Visitor Retail District and the
 23 Chinatown Residential Neighborhood Commercial District at the lowest level occupied for
 24 dwelling, the site coverage shall be no more than 75% percent. The noncovered area
 25 requirement may be provided in a location other than the rear yard including balconies and

1 rooftop terraces if the new structure does not significantly impede the access of light and air to
2 adjacent properties, as determined by the Zoning Administrator.

3 Factors to be considered in such determination shall include, but shall not be limited to:
4 preservation of light and air to existing windows and openings in the vicinity; usability of the
5 noncovered space for residential open space purposes; and sun access to the noncovered
6 space and adjacent sidewalks.

7 **SEC. 201. CLASSES OF USE DISTRICTS.**

8 In order to carry out the purposes and provisions of this Code, the City is hereby
9 divided into the following classes of use districts:

10 * * * *

Chinatown Mixed Use Districts (Also see Sec. 802.3)	
CCB	Chinatown Community Business District (Defined in Sec. 810. 1)
CR/NC	Chinatown Residential/Neighborhood Commercial District (Defined in Sec. 812. 1)
CVR	Chinatown Visitor Retail District (Defined in Sec. 811. 1)

14 * * * *

16 **SEC. 249.25. JACKSON SQUARE SPECIAL USE DISTRICT.**

17 * * * *

18 (b) **Controls.**

19 (1) **General.** The provisions of the C-2 use district as established in Section
20 210.2 and applicable provisions of the Washington-Broadway Special Use Districts (Section
21 239), and the Chinatown Community Business District (Section 810.~~1~~), shall prevail except as
22 provided in paragraphs (2) and (3) below.

23 * * * *

24 **SEC. 249.66. CHINATOWN TRANSIT STATION SPECIAL USE DISTRICT.**

1 (a) **Purpose.** In order to facilitate the construction of the Central Subway, the
2 extension of the Third Street Light Rail Line from the Caltrain Terminal at 4th Street and King
3 Street to an underground station in Chinatown, there shall be a Chinatown Transit Station
4 Special Use District consisting of Lot 1, of Assessor's Block 0211, as designated on Sectional
5 Map SU01 of the Zoning Map of the City and County of San Francisco.

6 (b) **Special Controls.** The following controls apply to projects within the special use
7 district and to any subsequent alterations or changes in use in a building approved under this
8 Section.

9 ~~(1)~~ All otherwise applicable provisions of the Planning Code shall apply to this Special
10 Use District with the exception of Sections 312, and 317 ~~and 812.39(b)~~.

11 **SEC. 263.12. SPECIAL HEIGHT EXCEPTIONS: PORTION OF CHINATOWN**
12 **RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.**

13 (a) **General.** In the 65N-85N Height and Bulk District, as designated on Sectional
14 Map No. 1H of the Zoning Map, located within the boundaries of the Chinatown Residential
15 Neighborhood Commercial District, height exceptions may be approved above the 65-foot
16 base height to a maximum of 85 feet, in accordance with the conditional use procedures and
17 criteria provided in Section 303 of this Code and with the criteria and conditions set forth in
18 ~~S~~subsection (c) below.

19 (1) When the developer of housing (a ~~d~~Dwelling ~~u~~Unit or ~~g~~Group ~~h~~Housing)
20 agrees to construct ~~25% percent~~ of the total units of a housing or mixed use development for
21 persons and families of ~~moderate~~ middle income as defined in Section ~~401 313.1(12)~~ and such
22 units shall remain affordable to such households for 30 years.

23 (2) When the developer of housing agrees to construct ~~10% percent~~ of the
24 total units of a housing or mixed use development for persons or families of low income as
25

1 defined in Section ~~401 313.1(13)~~ and such units shall remain affordable to such households for
2 30 years.

3 (3) When floor area at least equal to that permitted above the 65-foot base
4 height will be occupied by medical or social services primarily directed to low-income persons
5 or families and provision of space for such services is included in an approved Institutional
6 Master Plan pursuant to Section 304.5 of this Code.

7 (b) **Findings and Purposes.** In this district, heights higher than 65 feet would
8 encourage the construction of additional low-rent dwellings to serve housing and other needs
9 in the City, or provision of services to low-income households provided that the structure does
10 not adversely affect a building identified as having individual architectural and historical
11 significance and is designed to reduce shadows on public sidewalks and parks, to reduce
12 adverse wind impacts to adjacent uses, to provide an appropriate height transition to adjacent
13 higher or lower buildings, and to otherwise satisfy ~~S~~subsection (c) below and the conditional
14 use criteria of this Code, and would benefit the public.

15 (c) **Conditions.**

16 (1) The ~~City~~ Planning Commission shall impose conditions on the approval of
17 additional height pursuant to this subsection ~~(c)~~ to mitigate the impact that such height may
18 have on adjacent uses and property and to assure the enforceability and enforcement of
19 housing affordability and use provisions, which shall include, but need not be limited to, a
20 requirement that each housing unit of an approved structure remain affordable to households
21 of low or ~~middle moderate~~ income for a period of not less than 30 years from the date of the
22 first recording of a deed of trust provided that such unit is in conformity with ~~S~~subsection (c)(2)
23 below and Section ~~413 313(4)~~.

24 (2) The permit applicant shall designate housing units, which may be above
25 or below the 65-foot base height limit, which shall be affordable to those households specified

1 in ~~§~~subsection (a). Prior to the issuance by the *Superintendent* Director of the *Bureau* Department
2 of Building Inspection (~~Superintendent~~) of a site or building permit to construct any designated
3 unit subject to this Section 263.12, the permit applicant shall notify the Director of Planning and
4 the Director of Property in writing whether the unit will be an owned or rental unit as defined in
5 Section ~~313.1~~ 401 of this Code.

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

14 (4) Each designated unit shall be subject to the provisions of Sections 413
15 ~~313(i) and (j)~~ of this Code. For purposes of this subsection (c) and the application of Sections
16 413 ~~313(i) and (j)~~ of this Code to designated units constructed pursuant to this subsection (c),
17 the definitions set forth in Sections 401 and 413 ~~313(a)(2), (3), (4), (5), (6), (8), (9), (11), (12), (13),~~
18 ~~(14), (16), (20), (21), (22), (24), (25) and (26)~~ shall apply.

19 **SEC. 803. MIXED USE DISTRICT REQUIREMENTS.**

20 The Mixed Use District zoning control categories are listed in Sections 803.2, 803.3
21 and ~~825.1~~ of this Code. Related building standards and permitted uses are generally stated,
22 summarized or cross-referenced in those Sections or in the zoning control tables for each Mixed
23 Use district Sections 810.1 through 819 and 827 through 843 of this Code, for each of the district
24 classes listed in Section 802.1, or referenced in Section 899 of this Code.

25 **SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS.**

1 A Use is the specific purpose for which a property or building is used, occupied, maintained, or
 2 leased. Whether or not a Use is permitted in a specific Chinatown Mixed Use District is set forth,
 3 summarized, or cross-referenced in Sections 810.1 through 812.96 of this Code for each district class.

4 (a) *Use Categories.* The uses, functions, or activities, that are permitted in each Chinatown
 5 Mixed Use District class include those listed in Table 803.2 below by zoning control category and
 6 numbered and cross-referenced to the Code Section containing the definition. Zoning Control Tables.
 7 Each Chinatown Mixed Use District has a corresponding Zoning Control Table that details the basic
 8 development standards and Use controls for the respective district. Zoning control tables are explained
 9 in Section 202.1 of this Code. Permitted Uses, Conditionally Permitted Uses, and Uses that are not
 10 permitted in the zoning districts described in this Section 803.2 are detailed in the corresponding
 11 zoning control tables.

12 **TABLE 803.2 USE CATEGORIES PERMITTED IN THE**
 13 **CHINATOWN MIXED USE DISTRICTS**

No.	Zoning Control Categories for Uses	Section Number of Use Definition
803.2.24	Outdoor Activity Area	§ 890.71
803.2.25	Drive Up Facility	§ 890.30
803.2.26	Walk Up Facility	§ 890.140
803.2.27	Hours of Operation	§ 890.48
803.2.38a	Residential Conversion, Residential Hotels	Chapter 41, Admin. Code
803.2.38b	Residential Demolition, Residential Hotels	Chapter 41, Admin. Code
803.2.39a	Residential Conversion	§ 317
803.2.39b	Residential Demolition	§ 317
803.2.40a	Other Retail Sales and Services	§ 890.102
803.2.40b	Gift Store – Tourist Oriented.	§ 890.39
803.2.40e	Jewelry	§ 890.51
803.2.41	Bar	§ 790.22

1	803.2.43	Limited Restaurant	§ 790.90
2	803.2.44	Restaurant	§ 790.91
3	803.2.46	Movie Theater	§ 890.64
4	803.2.47	Adult Entertainment	§ 890.36
5	803.2.48	Other Entertainment	§ 890.37
6	803.2.49	Financial Service	§ 890.110
7	803.2.50	Limited Financial Service	§ 890.112
8	803.2.51	Medical Service	§ 890.114
9	803.2.52	Personal Service	§ 890.116
10	803.2.53	Professional Service	§ 890.108
11	803.2.54	Massage Establishment	§ 890.60
12	803.2.55	Tourist Hotel	§ 890.46
13	803.2.56	Automobile Parking Lot, Community Commercial	§ 890.9
14	803.2.57	Automobile Parking Garage, Community Commercial	§ 890.10
15	803.2.58	Automobile Parking Lot, Public	§ 890.11
16	803.2.59	Automobile Parking Garage, Public	§ 890.12
17	803.2.60	Automotive Gas Station	§ 890.14
18	803.2.61	Automotive Service Station	§ 890.18
19	803.2.62	Automotive Repair	§ 890.15
20	803.2.63	Automotive Wash	§ 890.20
21	803.2.64	Automobile Sale or Rental	§ 890.13
22	803.2.65	Animal Hospital	§ 890.6
23	803.2.66	Ambulance Service	§ 890.2
24	803.2.67	Mortuary	§ 890.62
25	803.2.68	Trade Shop	§ 890.124
	803.2.70	Administrative Service	§ 890.106
	803.2.71	Light Manufacturing, Wholesale Sales or Storage	§ 890.54
	803.2.72	Fringe Financial Service	§ 890.113
	803.2.73	Business Services	§ 890.111
	803.2.74A	Neighborhood Agriculture	§ 102.35(a)
	803.2.74B	Large-Scale Urban Agriculture	§ 102.35(b)
	803.2.80	Hospital or Medical Center	§ 890.44
	803.2.81	Other Institutions	§ 890.50

803.2.82	Public Use	§ 890.80
803.2.90	Residential Use	§ 890.88
803.2.95	Automobile Parking Lot, Community Residential	§ 890.7
803.2.96	Automobile Parking Garage, Community Residential	§ 890.8
803.2.97	Tobacco Paraphernalia Establishments	§ 890.123
803.2.99	Wireless Telecommunications Services Facility	§ 102

(b) ~~Use Limitations. Uses in Chinatown Mixed Use Districts are either permitted, conditional, accessory, temporary, or are not permitted.~~

(1) ~~Permitted Uses in Enclosed Buildings. All Permitted and Conditionally Permitted Uses in Chinatown Mixed Use Districts shall be conducted within an enclosed building, unless otherwise specifically allowed in this Code. Exceptions from this requirement are: accessory off-street parking and loading; uses which, when located outside of a building, qualify as an Outdoor Activity Area, as defined in Section 890.71 of this Code; Neighborhood Agriculture, as defined in Section 102 of this Code; Wireless Telecommunications Services Facility, as defined in Section 102 of this Code; and uses which by their nature are to be conducted in an open lot or outside a building, as described in Sections 890 through 890.140 of this Code.~~

(c) Multiple Uses in One Structure. If there are two or more uses in a structure and none is classified under Section 803.2(d b)(1)(C) of this Code as an Accessory Use, then each of these uses will be considered separately as an independent permitted, conditional, temporary, or not permitted use.

(A) ~~Principal Uses. Principal uses are permitted as of right in a Chinatown Mixed Use District, when so indicated in Sections 810.1 through 812.96 of this Code for each district class.~~

(B) ~~Conditional Uses. Conditional uses are permitted in a Chinatown Mixed Use District when authorized by the Planning Commission; whether a use is conditional in a given district is indicated in Sections 810 through 812. Conditional uses are subject to the provisions set forth in~~

1 *Section 303 of this Code. In the case of formula retail uses, the provisions of Planning Code Section*
2 *303.1 shall apply.*

3 *(i) — An establishment which sells beer and wine with motor vehicle fuel is a*
4 *conditional use, and shall be governed by Section 229.*

5 *(ii) — Any use or feature which lawfully existed and was permitted as a*
6 *principal or conditional use on the effective date of these controls which is not otherwise*
7 *nonconforming or noncomplying as defined in Section 180 of this Code, and which use or feature is not*
8 *permitted under this Article is deemed to be a permitted conditional use subject to the provisions of this*
9 *Code.*

10 *(iii) — Notwithstanding any other provision of this Article, a change in use or*
11 *demolition of a movie theater use, as set forth in Section 890.64, shall require conditional use*
12 *authorization. This Subsection shall not authorize a change in use if the new use or uses are otherwise*
13 *prohibited.*

14 *(iv) — Notwithstanding any other provision of this Article, a change in use or*
15 *demolition of a general grocery store use, as set forth in Section 890.102(a) and as further defined in*
16 *Section 790.102(a), which use exceeds 5,000 gross square feet shall require conditional use*
17 *authorization. This Subsection shall not authorize a change in use if the new use or uses are otherwise*
18 *prohibited.*

19 *(v) — Installing a garage in an existing residential building of four or more*
20 *units requires a mandatory discretionary review hearing by the Planning Commission; Section 311*
21 *notice is required for a building of less than four units. In approving installation of the garage, the*
22 *Planning Commission shall find that:*

1 a. — the proposed garage opening/addition of off-street parking will
2 not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of
3 this Code;

4 b. — the proposed garage opening/addition of off-street parking will
5 not substantially decrease the livability of a dwelling unit without increasing the floor area in a
6 commensurate amount;

7
8 c. — the building has not had two or more "no-fault" evictions, as
9 defined in Section 37.9(a)(7) — (13) of the San Francisco Administrative Code, with each eviction
10 associated with a separate unit(s) within the past ten years, and

11 d. — the proposed garage/addition of off-street parking installation is
12 consistent with the Priority Policies of Section 101.1 of this Code.

13 Prior to the Planning Commission hearing, or prior to issuance of notification under Section
14 311(e)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor
15 attesting to a., b., and c. above, which the Department shall independently verify. The Department shall
16 also have made a determination that the project complies with d. above.

17 (vi) — Large Scale Urban Agriculture, as defined in Section 102.35(b), shall
18 require conditional use authorization.

19 (d €) **Accessory Uses.** Subject to the limitations set forth below and in Sections
20 204.1 (Accessory Uses for Dwelling Units in All R Districts), 204.4 (Dwelling Units Accessory to
21 Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, a related minor
22 use which is either necessary to the operation or enjoyment of a lawful Principal Use or Conditional
23 Use or is appropriate, incidental, and subordinate to any such use, an Accessory Use, as defined in
24 Section 102, shall be permitted in Chinatown Mixed Use Districts as an Accessory Use when
25 located on the same lot. Any Use not qualified as an Accessory Use shall only be allowed as

1 a Principal or Conditional Use, unless it qualifies as a temporary use under Sections 205
2 through ~~205.4~~ 205.2 of this Code.

3 No use in a Chinatown Mixed Use District will be considered accessory to a Principal
4 Use which involves or requires any of the following:

5 (~~1 i~~) The use of more than one-third of the total floor area occupied by both
6 the Accessory Use and the Principal Use to which it is accessory, combined, except in the
7 case of accessory off-street parking;

8 (~~2 ii~~) Any Bar or Restaurant, or any other retail establishment which serves
9 liquor for consumption on-site;

10 (~~3 iii~~) Any take-out food use, except for a take-out food use which occupies 100
11 square feet or less (including the area devoted to food preparation and service and excluding
12 storage and waiting areas) in a retail grocery or specialty food store;

13 (~~4 iv~~) The wholesaling, manufacturing or processing of foods, goods, or
14 commodities on the premises of an establishment which does not also provide for primarily
15 retail sale of such foods, goods or commodities at the same location where such wholesaling,
16 manufacturing or processing takes place; however, Catering Uses that satisfy the limitations
17 set forth in Section 703(d)(3)(B) shall be permitted as an Accessory Use to Limited
18 Restaurants.;

19 (~~5 v~~) Medical Cannabis Dispensaries *as defined in Section 890.133.*

20
21 (~~6 vi~~) Any ~~other~~ General eEntertainment use, *as defined in Section 890.37*, except
22 for one that involves a Limited Live Performance Permit as set forth in Police Code Section
23 1060 et seq.

24 (~~7 vii~~) Cannabis Retail *as defined in Section 890.125 of this Code.*

1 No part of this subsection (~~d~~ ~~C~~) shall prohibit take-out food activity which operates in
2 conjunction with a ~~Restaurant or Limited fast food~~ ~~Restaurant, which A fast food restaurant, by~~
3 ~~definition,~~ includes take-out food as an accessory and necessary part of its operation.

4 (~~e~~ ~~D~~) **Temporary Uses.** Uses not otherwise permitted are permitted in Chinatown
5 Mixed Use Districts to the extent authorized by Sections 205, 205.1, or 205.2 of this Code,
6 except that Temporary Cannabis Retail Uses shall not be permitted in Chinatown Mixed Use
7 Districts.

8 (~~f~~ ~~2~~) **Not Permitted Uses.**

9 (~~1~~ ~~A~~) Uses which are not listed in this Article ~~g~~ are not permitted in a Chinatown
10 Mixed Use District unless determined by the Zoning Administrator to be ~~p~~ ~~Permitted~~ ~~u~~ ~~Uses~~ in
11 accordance with Section 307(a) of this Code.

12 (~~2~~ ~~B~~) No use, even though listed as a ~~p~~ ~~Permitted~~ ~~u~~ ~~Use~~ or otherwise allowed,
13 shall be permitted in a Chinatown Mixed Use District which, by reason of its nature or manner
14 of operation, creates conditions that are hazardous, noxious, or offensive through the
15 emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried
16 waste, or excessive noise.

17 (~~3~~ ~~C~~) The establishment of a use that sells alcoholic beverages, other than
18 beer and wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by
19 Section ~~202(b)(1)~~ ~~229~~.

20 (~~4~~ ~~D~~) No off-street parking garage installations or new curb cuts are permitted
21 on the alleyways in the Chinatown Mixed-Use Districts.

22 (~~g~~) Other Chinatown Mixed Use District Provisions.

23 (~~1~~) Garages in Existing Residential Buildings. Installing a garage in an existing
24 residential building of four or more units requires a mandatory discretionary review hearing by the
25

1 Planning Commission; Section 311 notice is required for a building of less than four units. In
2 approving installation of the garage, the Planning Commission shall find that:

3 (a) the proposed garage opening/addition of off-street parking will not cause
4 the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this
5 Code;

6 (b) the proposed garage opening/addition of off-street parking will not
7 substantially decrease the livability of a Dwelling Unit without increasing the floor area in a
8 commensurate amount;

9 (c) the building has not had two or more "no-fault" evictions, as defined in Section
10 37.9(a)(7) through (9) and (11) through (13) of the San Francisco Administrative Code, with each
11 eviction associated with a separate unit(s) within the past 10 years, and

12 (d) the proposed garage/addition of off-street parking installation is consistent with
13 the Priority Policies of Section 101.1 of this Code.

14 Prior to the Planning Commission hearing, or prior to issuance of notification under Section
15 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor
16 attesting to (a), (b), and (c) above, which the Department shall independently verify. The Department
17 shall also have made a determination that the project complies with (d) above.

18 **SEC. 809. GUIDE TO UNDERSTANDING THE DOWNTOWN RESIDENTIAL AND**
19 **EASTERN NEIGHBORHOODS MIXED USE DISTRICT ZONING CONTROLS.**

20 The Downtown Residential and Eastern Neighborhoods Mixed Use District controls are set
21 forth in the Zoning Control Tables in Sections 813 and 814 ~~810 through 818~~, and in Sections
22 825, 827 through 848 ~~843~~ or referenced in Section 899 of this Code.

23 * * * *

24 The following symbols are used in this table:

25 P - Permitted as a ~~p~~Principal ~~u~~Use.

1 C - Permitted as a eConditional uUse, subject to the provisions set forth in this Code.

2 *A blank space on the tables in Sections 810 through 812 indicates that the use or feature is not*
3 *permitted within the Chinatown Mixed Use Districts. Unless a use or feature is permitted or required in*
4 *the Chinatown Mixed Use Districts as set forth in the Zoning Control Tables or in those sections*
5 *referenced in Section 899 of this Code, such use or feature is prohibited, unless determined by the*
6 *Zoning Administrator to be a permitted use.*

7 NP - Not Permitted.

8 # - See specific provisions listed by section and zoning category number at the end of
9 the table.

10 1st - 1st story and below, where applicable.

11 2nd - 2nd story, where applicable.

12 3rd+ - 3rd story and above, where applicable.

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

14 * * * *

15 **Table 810**
16 **CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE**

17

Chinatown Community Business District		
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>Massing and Setbacks</u>		
<u>Height and Bulk Limits.</u>	<u>§§ 102.12, 105, 106, 250 - 252, § 254, 260, 263.4, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X, 50-N, 65-N, 65-A, 65-85-A. P up to 35 feet; C above 35 feet. See Height and Bulk Map for more information.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>Not Permitted</u>

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1	<u>Rear Yard</u>	<u>§§ 130, 134, 134.1, 136</u>	<u>No more than 75% of lot coverage at the lowest level occupied by a dwelling. Location of open space may be modified per § 134.1.</u>
2			
3			
4	<u>Sun Access Setbacks</u>	<u>§ 132.3</u>	<u>15 ft. at specified heights</u>
5	<u>Front Setback and Side Yard</u>	<u>§§ 130, 131, 132, 133</u>	<u>Not Required.</u>
6	<u>Street Frontage and Public Realm</u>		
7	<u>Streetscape and Pedestrian Improvements</u>	<u>§ 138.1</u>	<u>Required</u>
8	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required</u>
9	<u>Maximum Street Frontage [per building]</u>	<u>§ 145.3</u>	<u>P up to 50 feet; C required for more than 50 feet</u>
10	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
11	<u>Vehicular Access Restrictions</u>	<u>§155(r)</u>	<u>All alleyways in the Chinatown Mixed Use Districts; Broadway from the Embarcadero on the east to Polk Street on the west; and Columbus Avenue between Washington and North Point Streets</u>
12			
13	<u>Miscellaneous</u>		
14	<u>Lot Size (Per Development)</u>	<u>§121.3</u>	<u>P up to 5,000 sq. ft.; C 5,001 sq. ft. & above (1)</u>
15	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
16	<u>Awning, Canopy, or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
17	<u>Signs</u>	<u>§§ 602 - 604, 607.2, 608.1, 608.2</u>	<u>As permitted by § 607.2</u>
18	<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
19			
20	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
21			
22	<u>RESIDENTIAL STANDARDS AND USES</u>		
23	<u>Development Standards</u>		
24	<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§ 135, 136</u>	<u>48 sq. ft.</u>
25			

1	<u>Off-Street Parking, Residential</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>P up to one car for each two Dwelling Units; C up to .75 cars for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(e); NP above 0.75 cars for each Dwelling Unit § 303(u). (2).</u>		
2					
3					
4					
5	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not Applicable</u>		
6	<u>Use Characteristics</u>				
7	<u>Single Room Occupancy</u>	<u>§102</u>	<u>P</u>		
8	<u>Student Housing</u>	<u>§102</u>	<u>P</u>		
9	<u>Residential Uses</u>		<u>Controls by Story</u>		
10			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
11	<u>Residential Uses</u>	<u>§§ 135, 136</u>	<u>P</u>	<u>P</u>	<u>P</u>
12	<u>Accessory Dwelling Unit Density</u>	<u>102, 207(c)(4)</u>	<u>Accessory Dwelling Units are permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u>		
13					
14	<u>Dwelling Unit Density</u>	<u>§ 207</u>	<u>Up to 1 unit per 200 sq. ft. lot area.</u>		
15	<u>Group Housing Density</u>	<u>§§ 208, 890.88(b)</u>	<u>1 bedroom per 140 sq. ft. lot area</u>		
16					
17	<u>Homeless Shelters Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
18	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
19					
20					
21					
22					
23					
24	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
25			<u>1st</u>	<u>2nd</u>	<u>3rd+</u>

1	<u>Residential Conversion, Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Residential Hotel Conversion, Demolition or Merger</u>	<u>Ch. 41 Admin. Code</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<u>NON-RESIDENTIAL STANDARDS</u>				
4	<u>Development Standards</u>				
5	<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.8 to 1</u>		
6	<u>Use Size</u>	<u>§ 121.4</u>	<u>P up to 5,000 sq. ft.; C 5,000 sq. ft. & above (1)</u>		
7	<u>Open Space</u>	<u>§ 135.1</u>	<u>1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft.</u>		
8	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>No car parking required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per § 166.</u>		
9					
10					
11					
12					
13	<u>Off-Street Freight Loading, Non-Residential</u>	<u>§§ 150, 152, 153 - 155, 161(b), 204.5</u>	<u>None required if gross floor area is less than 10,000 sq. ft.</u>		
14					
15	<u>Commercial Use Characteristics</u>				
16	<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>		
17	<u>Formula Retail</u>	<u>§§ 102, 303.1</u>	<u>C(3)</u>		
18	<u>Hours of Operation</u>	<u>§ 102</u>	<u>No Limit</u>		
19	<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>		
20	<u>Open Air Sales</u>	<u>§ 102</u>	<u>P</u>		
21	<u>Outdoor Activity Area</u>	<u>§§ 102, 145.2</u>	<u>P in front, C elsewhere</u>		
22	<u>Walk-up Facility</u>	<u>§ 102</u>	<u>P if recessed 3 ft., C otherwise</u>		
23	<u>NON-RESIDENTIAL USES</u>				
24			<u>Controls by Story</u>		
25			<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
	<u>Agricultural Use Category</u>				
	<u>Agriculture, Industrial</u>	<u>§§ 102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Agriculture, Large Scale Urban</u>	<u>§§ 102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Agriculture, Neighborhood</u>	<u>§§ 102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Automotive Use Category</u>				

1	<u>Automotive Uses*</u>	<u>§§ 102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Parking Garage, Private</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Parking Garage, Public</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Parking Lot, Private</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>Parking Lot, Public</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
4	<u>Entertainment, Arts and Recreation Use Category</u>	-	-	-	-
5	<u>Entertainment and Recreation Uses*</u>	<u>§§ 102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, General</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>Entertainment, Nighttime</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Movie Theater</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
7	<u>Open Recreation Area</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Passive Outdoor Recreation</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
9	<u>Industrial Use Category</u>	-	-	-	-
10	<u>Industrial Uses*</u>	<u>§§ 102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Institutional Use Category</u>	-	-	-	-
	<u>Institutional Uses*</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
12	<u>Hospital</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Medical Cannabis Dispensary</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<u>Philanthropic Admin. Services</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Public Facilities</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Sales and Service Use Category</u>	-	-	-	-
	<u>Retail Sales and Service Uses*</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
16	<u>Bar</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
17	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Flexible Retail</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Hotel</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Kennel</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Massage Establishment</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Massage, Foot/Chair</u>	<u>§ 102</u>	<u>P</u>	<u>C</u>	<u>C</u>
21	<u>Mortuary</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Motel</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Restaurant</u>	<u>§ 102</u>	<u>C(1)(3)</u>	<u>C(1)(3)</u>	<u>C(1)(3)</u>
	<u>Services, Financial</u>	<u>§ 102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
23	<u>Services, Fringe Financial</u>	<u>§ 102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Services, Limited Financial</u>	<u>§ 102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Tobacco Paraphernalia Store</u>	<u>§ 102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

Trade Shop	§ 102	P	C	NP
Non-Retail Sales and Service*	§ 102	NP	NP	NP
Design Professional	§ 102	P	P	P
Trade Office	§ 102	P	P	P
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	-	C	C	C
Power Plant	§ 102	NP	NP	NP
Public Utilities Yard	§ 102	NP	NP	NP
Wireless Telecommunications Services Facility	§ 102	P	P	P

*Not listed below

(1) C for Use Size is not required for Restaurants larger than 5000 sq. ft., but C to establish the Use is required as indicated.

(2) Installing a garage in an existing residential building of four or more units requires a mandatory discretionary review hearing by the Planning Commission; Section 311 notice is required for a building of less than four units. In approving installation of the garage, the Commission shall find that:

(a) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of Residential Unit," as those terms are defined in Section 317 of this Code;

(b) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a Dwelling Unit without increasing the floor area in a commensurate amount;

(c) the building has not had two or more "no-fault" evictions, as defined in Section 37.9(a)(7) through (9) and (11) through (13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past 10 years, and

(d) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.

Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (a), (b), and (c) above, which the Department shall independently verify. The Department shall also have made a determination that the project complies with (d) above.

(3) Formula Retail Restaurants are NP in all Chinatown MUDs.

No.	Zoning Category	§ References	Chinatown Community Business Controls
BUILDING STANDARDS			
10	Height and Bulk	§§ 102.12, 105, 106, 250 252, 260, 263.4, 270, 271	P up to 35 feet # C to 65 ft. C to 50 ft. (along Commercial Street) See Zoning Map, § 254 50 ft. length and 100 ft. diagonal above 40 ft. # See Zoning Map, § 270
11	Lot Size [Per Development]	§§ 121, 890.56	P up to 5,000 sq. ft. C 5,001 sq. ft. & above § 121.3

1	12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified / 75% coverage § 134.1
2				
3	13	Sun Access Setbacks		15 ft. at specified heights § 132.3
4	14	Maximum Street Frontage [Per Building]		P to 50 feet C more than 50 feet § 145.3
5				
6	15	Awning	§ 136.2(a)	P
7	16	Canopy	§ 136.2(b)	P
8	17	Marquee	§ 136.2(e)	P
9	COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES			
10	19	Floor Area Ratio	§§ 102.9, 102.11, 123	2.8 to 1 § 124(a) (b)
11	20	Use Size [Nonresidential]	§ 890.130	P up to 5,000 sq. ft. C 5,000 sq. ft. & above, except for Restaurants § 121.4
12				
13	21	Open Space		1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft. § 135.1
14				
15	22	Off Street Parking, Commercial and Institutional	§§ 150, 151.1, 153-156, 166, 204.5, 303	None required 1 1
16				
17	23	Off Street Freight Loading	§§ 150, 153-155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b). Exception permitted per § 155.
18				
19	24	Outdoor Activity Area	§ 890.71	P in front C elsewhere
20	25	Drive Up Facility	§ 890.30	
21	26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
22	27	Hours of Operation	§ 890.48	No limit
23	30	General Advertising Sign	§ 607.2	NP
24	31	Business Sign	§§ 602-604, 608.1, 608.2	P § 607.2(f)
25				

No.	Zoning Category	§ References	Chinatown Community Business Controls by Story		
			1st	2nd	3rd+
<i>Retail Sales and Services</i>					
.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	P
.40b	Gift Store - Tourist Oriented	§ 890.39	P	P	P
.40e	Jewelry	§ 890.51	P	P	P
.41	Bar	§ 790.22	C	C	C
.43	Limited Restaurant	§ 790.90	P	P	P
.44	Restaurant	§ 790.91	C	C	C
.46	Movie Theater	§ 890.64	P	P	
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37	P	P	P
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110	P		
.50	Limited Financial Service	§ 890.112	P		
.51	Medical Service	§ 890.114	P	P	P
.52	Personal Service	§ 890.116	P	P	P
.53	Professional Service	§ 890.108	P	P	P
.54	Massage Establishment	§ 890.60 Art. 29 Health Code	C#	C#	C#
.55	Tourist Hotel	§ 890.46	C	C	C
.56	Automobile Parking Lot, Community Commercial	§§ 156, 160, 890.9	C	C	C
.57	Automobile Parking Garage, Community Commercial	§ 160, 890.10	C	C	C

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.58	Automobile Parking Lot, Public	§ 156, 890.11	C	C	C
.59	Automobile Parking Garage, Public	§ 890.12	C	C	C
.60	Automotive Gas Station	§ 890.14			
.61	Automotive Service Station	§ 890.18			
.62	Automotive Repair	§ 890.15			
.63	Automotive Wash	§ 890.20			
.64	Automotive Sale or Rental	§ 890.13			
.65	Animal Hospital	§ 890.6			
.66	Ambulance Service	§ 890.2			
.67	Mortuary	§ 890.62	C	C	
.68	Trade Shop	§ 890.124	P	C	
.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54			
.72	Fringe Financial Service	§ 890.113	P #		
.73	Tobacco Paraphernalia Establishments	§ 890.123	C		
.74A	Neighborhood Agriculture	§ 102.35(a)	P	P	P
.74B	Large Scale Urban Agriculture	§ 102.35(b)	C	C	C
<i>Institutions</i>					
.80	Hospital or Medical Center	§ 890.44			
.81	Other Institutions	Not counted as Commercial Fl. area § 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C
RESIDENTIAL STANDARDS AND USES					

1	.90	Residential Use	§ 890.88	P	P	P
2	.91	Dwelling Unit Density	§§ 207, 207.1, 890.88(a)	Generally, up to 1 unit per 200 sq. ft. lot area # § 207(c)		
3	.92	Residential Density, Group Housing	§§ 207.1, 208, 890.88(b)	1 bedroom per 140 sq. ft. lot area § 208		
4	.92b	Residential Density, Homeless Shelters	§§ 102, 207.1, 208, 890.88(d)	Density limits per § 208(a)		
5	.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	48 sq. ft. § 135 Table 3		
6	.94	Off Street Parking, Residential	§§ 150, 151.1, 153, 156, 166, 167, 204.5, 303	P up to one car for each two Dwelling Units but subject to § 155; C up to .75 cars for each Dwelling Unit, subject to the criteria and procedures of Section 303151.1(e), NP above 0.75 cars for each Dwelling Unit § 303(u) # mandatory discretionary review by the Planning Commission if installing a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units.		
7	.95	Automobile Parking Lot, Community Residential	§ 156, 160, 890.7	C	C	C
8	.96	Automobile Parking Garage, Community Residential	§ 160, 890.8		C	C
9	.97	Residential Conversion or Demolition, Residential Hotels	Ch. 41 Admin. Code			
10	.98	Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger	§ 317	C		
11	OTHER USES					
12	.99	Wireless Telecommunications Services Facility	§ 102	P	P	P

SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS DISTRICT	
Section	Zoning Controls

1	§ 810.10	§ 270	50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map III
2		§ 890.60	MASSAGE ESTABLISHMENT
3	§ 810.54	Art. 29 Health Code	Controls. Massage shall generally be subject to Conditional Use authorization. Certain exceptions to the Conditional Use requirement for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(e), the criteria described in Section 890.60(b).
4			
5			
6	§ 810.72	§ 249.35	Fringe Financial Services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(e)(3).
7			
8			ACCESSORY DWELLING UNITS
9	§ 810		Boundaries: Within the boundaries of the Chinatown Community Business District.
10	§ 810.91	§ 207(e)(4)	Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.
11			
12			Installing a garage in an existing residential building of four or more units requires a mandatory discretionary review hearing by the Planning Commission; Section 311 notice is required for a building of less than four units.
13			In approving installation of the garage, the Commission shall find that:
14			(1) the proposed garage opening/addition of off street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code;
15			(2) the proposed garage opening/addition of off street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount;
16			(3) the building has not had two or more "no fault" evictions, as defined in Section 37.9(a)(7) - (13) of the San Francisco Administrative Code, with each evicition associated with a separate unit(s) within the past ten years, and
17	§ 810.94	§ 303 § 803.2	(4) the proposed garage/addition of off street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.
18			Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(e)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (1), (2), and (3) above, which the Department shall independently verify. The Department shall also have made a determination that the project complies with (4) above.
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23			

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

1 The Chinatown Visitor Retail Neighborhood Commercial District extends along Grant
 2 Avenue between California and Jackson Streets. This district contains a concentration of
 3 shopping bazaars, art goods stores and restaurants which attract visitors and shoppers and
 4 contribute to the City's visual and economic diversity. Grant Avenue provides an important link
 5 between Downtown retail shopping and the Broadway, North Beach and Fisherman's Wharf
 6 areas.

7 This district is intended to preserve the street's present character and scale and to
 8 accommodate uses primarily appealing to visitors (e.g. tourist gifts shops, jewelry stores, art
 9 goods, large restaurants). In order to promote continuous retail frontage, entertainment,
 10 financial services, medical service, automotive, and drive-up uses are restricted. Most
 11 commercial uses, except financial services are permitted on the first two stories.
 12 Administrative services, (those not serving the public) are prohibited in order to prevent
 13 encroachment from downtown office uses. There are also special controls on *fast food*
 14 restaurants and tourist hotels. Building standards protect and complement the existing small-
 15 scale development and the historic character of the area.

16 The height limit applicable to the district will accommodate two floors of housing or
 17 institutional use above two floors of retail use. Existing residential units are protected by
 18 prohibition of upper-story conversions and limitation on demolition. Accessory dwelling units
 19 are permitted within the district pursuant to Subsection 207(c)(4) of this Code.

20 **Table 811**

21 **CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE**

22

<i>Chinatown Visitor Retail District</i>		
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>Massing and Setbacks</u>		

23
24
25

1	<u>Height and Bulk Limits.</u>	<u>§§ 102.12, 105, 106, 250 - 252, § 254, 260, 263.4, 270, 271. See also Height and Bulk District Maps</u>	<u>50-N. P up to 35 feet; C above 35 feet. See Height and Bulk Map for more information.</u>
2			
3			
4			
5	<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>Not Permitted</u>
6	<u>Rear Yard</u>	<u>§§ 130, 134, 134.1, 136</u>	<u>No more than 75% of lot coverage at the lowest level occupied by a dwelling. Location of open space may be modified per § 134.1.</u>
7			
8	<u>Sun Access Setbacks</u>	<u>§ 132.3</u>	<u>15 ft. at specified heights</u>
9	<u>Front Setback and Side Yard</u>	<u>§§ 130, 131, 132, 133</u>	<u>Not Required.</u>
10	<u>Street Frontage and Public Realm</u>		
11	<u>Streetscape and Pedestrian Improvements</u>	<u>§ 138.1</u>	<u>Required</u>
12	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required</u>
13	<u>Maximum Street Frontage [per building]</u>	<u>§ 145.3</u>	<u>P up to 50 feet; C required for more than 50 feet</u>
14	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
15	<u>Vehicular Access Restrictions</u>	<u>§155(r)</u>	<u>All alleyways in the Chinatown Mixed Use Districts.</u>
16	<u>Miscellaneous</u>		
17	<u>Lot Size (Per Development)</u>	<u>§121.3</u>	<u>P up to 5,000 sq. ft.; C 5,001 sq. ft. & above</u>
18	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
19	<u>Awning, Canopy, or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
20	<u>Signs</u>	<u>§§ 602 - 604, 607.2, 608.1, 608.2</u>	<u>As permitted by § 607.2</u>
21	<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
22	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
23			
24	<u>RESIDENTIAL STANDARDS AND USES</u>		
25	<u>Development Standards</u>		

1	<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§ 135, 136</u>	48 sq. ft.		
2	<u>Off-Street Parking, Residential</u>	<u>§§ 150, 151.1, 153 - 156, 166, 167, 204.5, 303</u>	<i>P up to one car for each two Dwelling Units; C for up to .75 cars for each Dwelling Unit, subject to the criteria and procedures of Sections 303(u) and 151.1(e), NP above 0.75 cars for each Dwelling Unit (2)</i>		
3					
4					
5					
6					
7	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not Applicable</u>		
8	<u>Use Characteristics</u>				
9	<u>Single Room Occupancy</u>	<u>§102</u>	<u>P</u>		
10	<u>Student Housing</u>	<u>§102</u>	<u>P</u>		
11	<u>Residential Uses</u>		<u>Controls by Story:</u>		
12			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
13	<u>Residential Uses</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
14	<u>Accessory Dwelling Unit Density</u>	<u>102, 207(c)(4)</u>	<i>Accessory Dwelling Units are permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</i>		
15					
16					
17					
18	<u>Dwelling Unit Density</u>	<u>§ 207</u>	<u>Up to 1 unit per 200 sq. ft. lot area.</u>		
19	<u>Group Housing Density</u>	<u>§§ 208, 890.88(b)</u>	<u>1 bedroom per 140 sq. ft. lot area</u>		
20	<u>Homeless Shelters Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
21					
22					
23					
24					
25					

1 2 3 4 5 6 7 8	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>
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<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
10	<u>Residential Conversion, Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>
11	<u>Residential Hotel Conversion, Demolition or Merger</u>	<u>Ch. 41 Admin. Code</u>	<u>NP</u>	<u>NP</u>

NON-RESIDENTIAL STANDARDS

<u>Development Standards</u>			
14	<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.0 to 1</u>
15	<u>Use Size</u>	<u>§ 121.4</u>	<u>P up to 2,500 sq. ft. C 2,501 to 5,000 sq. ft. (1)</u>
16	<u>Open Space</u>	<u>§ 135.1</u>	<u>1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft.</u>
18	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>No car parking required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per § 166.</u>
20	<u>Off-Street Freight Loading, Non-Residential</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 sq. ft.</u>

Commercial Use Characteristics

22	<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>
23	<u>Formula Retail</u>	<u>§§ 102, 303.1</u>	<u>NP</u>
24	<u>Hours of Operation</u>	<u>§ 102</u>	<u>P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.</u>
25	<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>

1	<i>Open Air Sales</i>	<u>§ 102</u>	<u>P</u>		
	<i>Outdoor Activity Area</i>	<u>§§ 102, 145.2</u>	<u>P in front, C elsewhere</u>		
2	<i>Walk-up Facility</i>	<u>§ 102</u>	<u>P if recessed 3 ft., C otherwise</u>		
3	<u>NON-RESIDENTIAL USES</u>	-	<u>Controls by Story</u>		
	-	-	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
4	<u>Agricultural Use Category</u>	-	-	-	-
5	<i>Agriculture, Industrial</i>	<u>§§ 102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
6	<i>Agriculture, Large Scale Urban</i>	<u>§§ 102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<i>Agriculture, Neighborhood</i>	<u>§§ 102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
8	<u>Automotive Use Category</u>	-	-	-	-
	<u>Automotive Uses*</u>	<u>§§ 102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<i>Parking Garage, Private</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<i>Parking Garage, Public</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<i>Parking Lot, Private</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
11	<i>Parking Lot, Public</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Entertainment, Arts and Recreation Use Category</u>	-	-	-	-
	<u>Entertainment and Recreation Uses*</u>	<u>§§ 102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<i>Entertainment, General</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
14	<i>Entertainment, Nighttime</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
15	<i>Open Recreation Area</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<i>Passive Outdoor Recreation</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
16	<u>Industrial Use Category</u>	-	-	-	-
	<u>Industrial Uses*</u>	<u>§§ 102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Institutional Use Category</u>	-	-	-	-
	<u>Institutional Uses*</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
18	<i>Hospital</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<i>Medical Cannabis Dispensary</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<i>Philanthropic Admin. Services</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<i>Public Facilities</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<u>Sales and Service Use Category</u>	-	-	-	-
	<u>Retail Sales and Service Uses*</u>	-	<u>P</u>	<u>P</u>	<u>NP</u>
23	<i>Adult Business</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<i>Animal Hospital</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<i>Bar</i>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
25	<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

1	<u>Flexible Retail</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Gym</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
2	<u>Hotel</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u> kennel</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
4	<u>Massage Establishment</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Massage, Foot/Chair</u>	<u>§ 102</u>	<u>P</u>	<u>C</u>	<u>C</u>
5	<u>Mortuary</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
6	<u>Motel</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<u>Restaurant</u>	<u>§ 102</u>	<u>C(1)</u>	<u>C(1)</u>	<u>NP</u>
	<u>Services, Financial</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Services, Fringe Financial</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Services, Health</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
	<u>Services, Instructional</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
10	<u>Services, Limited Financial</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Services, Personal</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
	<u>Services, Retail Professional</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
12	<u>Storage, Self</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<u>Tobacco Paraphernalia Store</u>	<u>§ 102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Trade Shop</u>	<u>§ 102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
14	<u>Non-Retail Sales and Service*</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
15	<u>Trade Office</u>	<u>§ 102</u>	<u>NP</u>	<u>P</u>	<u>P</u>
16	<u>Utility and Infrastructure Use Category</u>				
17	<u>Utility and Infrastructure*</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Power Plant</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Public Utilities Yard</u>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<u>Wireless Telecommunications Services Facility</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>

20 **Not listed below*

21 *(1) C for Use Size is not required for Restaurants larger than 2,500 sq. ft., but C to establish the Use is required as indicated.*

1 (2) Installation of a garage in an existing residential building of four or more units requires a mandatory discretionary
 2 review by the Planning Commission; Section 311 notice is required for a building of less than four units.
 3 In approving installation of the garage, the Commission shall find that:
 4 (a) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of
 5 residential unit," as those terms are defined in Section 317 of this Code;
 6 (b) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling
 7 unit without increasing the floor area in a commensurate amount;
 8 (c) the building has not had two or more "no-fault" evictions, as defined in Section 37.9(a)(7) through (9) and (11)
 9 through (13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the
 10 past ten years, and
 11 (d) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section
 12 101.1 of this Code.
 13 Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the
 14 Planning Department shall require a signed affidavit by the project sponsor attesting to (a), (b), and (c) above, which the
 15 Department shall independently verify. The Department shall also have made a determination that the project complies
 16 with (d) above.

No.	Zoning Category	§ References	Chinatown Visitor Retail Controls
BUILDING STANDARDS			
10	Height and Bulk	§§ 102.12, 105, 106, 250-252, 260, 263.4, 270, 271	P up to 35 feet # C to 50 ft. See Zoning Map, § 254 50 ft. length and 100 ft. diagonal above 40 ft. # See Zoning Map, § 270
11	Lot Size [Per Development]	§§ 121, 890.56	P up to 2,500 sq. ft. C 5,000 sq. ft. & above § 121.3
12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified /75% coverage § 134.1
13	Sun Access Setbacks		15 ft. at specified heights § 132.3
14	Maximum Street Frontage [Per Building]		P to 50 feet C more than 50 feet § 145.3
15	Awning	§ 136.2(a)	P
16	Canopy	§ 136.2(b)	P
17	Marquee	§ 136.2(c)	P
COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES			

1	19	Floor Area Ratio	§§ 102.9, 102.11, 123	2.0 to 1 § 124(a) (b)
2	20	Use Size [Nonresidential]	§ 890.130	P up to 2,500 sq. ft. C 2,501 to 5,000 sq. ft. Except for Restaurants — 5,000 sq. ft. § 121.4
3	21	Open Space		1 sq. ft. for every 50 sq. ft. above 10,000 sq. ft. § 135.1
4	22	Off Street Parking, Commercial and Institutional	§§ 150, 151.1, 153 — 156, 166, 204.5, 303	None required
5	23	Off Street Freight Loading	§§ 150, 153 — 155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b). Exception permitted per § 155.
6	24	Outdoor Activity Area	§ 890.71	P in front C elsewhere
7	25	Drive Up Facility	§ 890.30	
8	26	Walk Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
9	27	Hours of Operation	§ 890.48	P 6 a.m. — 11 p.m. C 11 p.m. — 2 a.m.
10	30	General Advertising Sign	§ 607.2	NP
11	31	Business Sign	§§ 602 — 604, 608.1, 608.2	P § 607.2(f)

No.	Zoning Category	§ References	Chinatown Visitor Retail Controls by Story			
			1st	2nd	3rd+	
Retail Sales and Services						
22	40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	
23	40b	Gift Store — Tourist Oriented	§ 890.39	P	P	
24	40e	Jewelry	§ 890.51	P	P	
25	41	Bar	§ 790.22	C	C	
	43	Limited Restaurant	§ 790.90	P	P	

1	.44	Restaurant	§ 790.91	C	C	
2	.46	Movie Theater	§ 890.64			
3	.47a	Adult Entertainment	§ 890.36			
4	.47b	Other Entertainment	§ 890.37	P #	P #	
5	.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
6	.49	Financial Service	§ 890.110			
7	.50	Limited Financial Service	§ 890.112			
8	.51	Medical Service	§ 890.114		P	
9	.52	Personal Service	§ 890.116		P	
10	.53	Professional Service	§ 890.108		P	
11	.54	Massage Establishment	§ 890.60, Art. 29 Health Code	C #	C #	C #
12	.55	Tourist Hotel	§ 890.46	C	C	C
13	.56	Automobile Parking Lot, Community Commercial	§§ 156, 160, 890.9	C	C	C
14	.57	Automobile Parking Garage, Community Commercial	§ 160, 890.10	C	C	C
15	.58	Automobile Parking Lot, Public	§ 156, 890.11	C	C	C
16	.59	Automobile Parking Garage, Public	§ 890.12	C	C	C
17	.60	Automotive Gas Station	§ 890.14			
18	.61	Automotive Service Station	§ 890.18			
19	.62	Automotive Repair	§ 890.15			
20	.63	Automotive Wash	§ 890.20			
21	.64	Automotive Sale or Rental	§ 890.13			
22	.65	Animal Hospital	§ 890.6			
23	.66	Ambulance Service	§ 890.2			
24	.67	Mortuary	§ 890.62	C	C	
25	.68	Trade Shop	§ 890.124	P	C	
	.70	Administrative Service	§ 890.106			
	.71	Light Manufacturing or Wholesale Sales	§ 890.54			

1	.72	<i>Fringe Financial Service</i>	§ 890.113			
2	.73	<i>Tobacco Paraphernalia Establishments</i>	§ 890.123	C		
3	.74A	<i>Neighborhood Agriculture</i>	§ 102.35(a)	P	P	P
4	.74B	<i>Large-Scale Urban Agriculture</i>	§ 102.35(b)	C	C	C
5	<i>Institutions</i>					
6	.80	<i>Hospital or Medical Center</i>	§ 890.44			
7	.81	<i>Other Institutions</i>	§ 890.50	P	P	P
8	.82	<i>Public Use</i>	§ 890.80	C	C	C
9	RESIDENTIAL STANDARDS AND USES					
10	.90	<i>Residential Use</i>	§ 890.88	P	P	P
11	.91	<i>Dwelling Unit Density</i>	§§ 207, 207.1, 890.88(a)	Generally, up to 1 unit per 200 sq. ft. lot area # § 207(e)		
12	.92	<i>Residential Density, Group Housing</i>	§§ 207.1, 208, 890.88(b)	1 bedroom per 140 sq. ft. lot area § 208		
13	.92b	<i>Residential Density, Homeless Shelters</i>	§§ 102, 207.1, 208, 890.88(d)	Density limits per § 208(a)		
14	.93	<i>Usable Open Space [Per Residential Unit]</i>	§§ 135, 136	48 sq. ft. § 135 Table 3		
15	.94	<i>Off-Street Parking, Residential</i>	§§ 150, 151.1, 153-156, 166, 167, 204.5, 303	P up to one car for each two Dwelling Units, but subject to § 155; C up to .75 cars for each Dwelling Unit, subject to the criteria and procedures of Sections 303(u) and 151.1(e); NP above 0.75 cars for each Dwelling Unit		
16	.95	<i>Automobile Parking Lot, Community Residential</i>	§ 156, 160, 890.7	C	C	C
17	.96	<i>Automobile Parking Garage, Community Residential</i>	§ 160, 890.8	C	C	C
18	.97	<i>Residential Conversion or Demolition, Residential Hotels</i>	Ch. 41 Admin. Code			
19	.98	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
20	OTHER USES					
21						
22						
23						
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99	Wireless Telecommunications Services Facility	§ 102	P	P	P
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SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT

Section		Zoning Controls
§ 811.10	§ 270	50 N Height and Bulk District as mapped on Sectional Map 1H
§ 811.47b	§ 890.37	The other entertainment use must be in conjunction with an existing Restaurant
§ 811.54	§ 890.60, Art. 29 Health Code	MESSAGE ESTABLISHMENT Controls. Massage shall generally be subject to Conditional Use authorization. Certain exceptions to the Conditional Use requirement for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(e), the criteria described in Section 890.60(b).
§ 811.91	§ 207(e)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Chinatown Visitor Retail District. Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.
§ 811.94	§ 303 § 803.2.	Installation of a garage in an existing residential building of four or more units requires a mandatory discretionary review by the Planning Commission; Section 311 notice is required for a building of less than four units. In approving installation of the garage, the Commission shall find that: — (1) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code; — (2) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount; — (3) the building has not had two or more "no-fault" evictions, as defined in Section 37.9(a)(7) (13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past ten years, and — (4) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code. Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (1), (2), and (3) above, which the

1 Department shall independently verify. The Department shall also have made a
2 determination that the project complies with (4) above.

3 **SEC. 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.**

4 The Chinatown Residential Neighborhood Commercial District extends along Stockton
5 Street between Sacramento and Broadway and along Powell Street between Washington
6 Street and Broadway. It is generally west and uphill from Grant Avenue and is close to the
7 relatively intensely developed residential areas of lower Nob and Russian Hills. Stockton
8 Street is a major transit corridor which serves as "Main Street" for the Chinatown
9 neighborhood. Both Stockton and Powell Streets contain a significant amount of housing as
10 well as major community institutions supportive to Chinatown and the larger Chinese
11 community. This daytime-oriented district provides local and regional specialty food shopping
12 for fresh vegetables, poultry, fish and meat. Weekends are this area's busiest shopping days.

13 Because Stockton Street is intended to remain principally in its present character, the
14 Stockton Street controls are designed to preserve neighborhood-serving uses and protect the
15 residential livability of the area. The controls promote new residential development compatible
16 with existing small-scale mixed-use character of the area. Consistent with the residential
17 character of the area, commercial development is directed to the ground story. Daytime-
18 oriented use is protected and tourist-related uses, ~~fast food restaurants~~ and financial services
19 are limited.

20 Housing development in new and existing buildings is encouraged above the ground
21 floor. Institutional uses are also encouraged. Existing residential units are protected by limits
22 on demolition and conversion. Accessory ~~d~~Welling ~~u~~Units are permitted within the district
23 pursuant to ~~s~~ubsection 207(c)(4) of this Code.
24
25

Table 812

CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

<i>Chinatown Residential Neighborhood Commercial District</i>		
<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<i>Massing and Setbacks</i>		
	<i>§§ 102.12, 105, 106, 250 - 252, § 254, 260, 263.4, 270, 271. See also Height and Bulk District Maps</i>	<i>40-X, 50-N, 65-N, 65-85-N, & 110-G. P up to 35 feet; C above 35 feet. See Height and Bulk Map for more information.</i>
<i>5 Foot Height Bonus for Active Ground Floor Uses</i>	<i>§ 263.20</i>	<i>Not Permitted</i>
<i>Rear Yard</i>	<i>§§ 130, 134, 134.1, 136</i>	<i>No more than 75% of lot coverage at the lowest level occupied by a dwelling. Location of open space may be modified per § 134.1.</i>
<i>Sun Access Setbacks</i>	<i>§ 132.3</i>	<i>15 ft. at specified heights</i>
<i>Front Setback and Side Yard</i>	<i>§§ 130, 131, 132, 133</i>	<i>Not Required.</i>
<i>Street Frontage and Public Realm</i>		
<i>Streetscape and Pedestrian Improvements</i>	<i>§ 138.1</i>	<i>Required</i>
<i>Street Frontage Requirements</i>	<i>§ 145.1</i>	<i>Required</i>
<i>Maximum Street Frontage [per building]</i>	<i>§ 145.3</i>	<i>P up to 50 feet; C required for more than 50 feet</i>
<i>Ground Floor Commercial</i>	<i>§ 145.4</i>	<i>Not Required</i>
<i>Vehicular Access Restrictions</i>	<i>§155(r)</i>	<i>All alleyways in the Chinatown Mixed Use Districts; and Columbus Avenue between Washington and North Point Streets.</i>
<i>Miscellaneous</i>		

1	<u>Lot Size (Per Development)</u>	<u>§121.3</u>	<u>P up to 5,000 sq. ft.;</u> <u>C 5,001 sq. ft. & above</u>		
2	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>		
3	<u>Awning</u>	<u>§ 136.1</u>	<u>P</u>		
4	<u>Canopy, or Marquee</u>	<u>§ 136.1</u>	<u>NP</u>		
5	<u>Signs</u>	<u>§§ 602 - 604, 607.2,</u> <u>608.1, 608.2</u>	<u>As permitted by § 607.2</u>		
6	<u>General Advertising Signs</u>	<u>§§ 262, 602, 604, 608,</u> <u>609, 610, 611</u>	<u>NP</u>		
7	<u>Design Guidelines</u>	<u>General Plan</u> <u>Commerce and</u> <u>Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>		
8	<u>RESIDENTIAL STANDARDS AND USES</u>				
9	<u>Development Standards</u>				
10	<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§ 135, 136</u>	<u>48 sq. ft.</u>		
11	<u>Off-Street Parking, Residential</u>	<u>§§ 150, 151.1, 153 -</u> <u>156, 166, 167, 204.5,</u> <u>303</u>	<u>P up to one car for each two Dwelling Units; C</u> <u>for up to .75 cars for each Dwelling Unit, subject</u> <u>to the criteria and procedures of Sections 303(u)</u> <u>and 151.1(e). NP above 0.75 cars for each</u> <u>Dwelling Unit (1)</u>		
12					
13					
14					
15					
16					
17	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not Applicable</u>		
18	<u>Use Characteristics</u>				
19	<u>Single Room Occupancy</u>	<u>§102</u>	<u>P</u>		
20	<u>Student Housing</u>	<u>§102</u>	<u>P</u>		
21	<u>Residential Uses</u>		<u>Controls by Story</u>		
22			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
23	<u>Residential Uses</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
24					
25					

1	<u>Accessory Dwelling Unit Density</u>	<u>102, 207(c)(4)</u>	<u>Accessory Dwelling Units are permitted to be constructed within an existing building zoned for residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.</u>		
2					
3					
4					
5					
6					
7					
8	<u>Dwelling Unit Density</u>	<u>§§ 207</u>	<u>Up to 1 unit per 200 sq. ft. lot area.</u>		
9	<u>Group Housing Density</u>	<u>§§ 208, 890.88(b)</u>	<u>1 bedroom per 140 sq. ft. lot area</u>		
10	<u>Homeless Shelters Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
11					
12	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
13					
14					
15					
16					
17					
18					
19					
20	<u>Loss of Dwelling Units</u>		<u>Controls by Story:</u>		
			<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
21	<u>Residential Conversion, Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<u>Residential Hotel Conversion, Demolition or Merger</u>	<u>Ch. 41 Admin. Code</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>NON-RESIDENTIAL STANDARDS</u>				
24	<u>Development Standards</u>				
25	<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.0 to 1</u>		

1	<u>Use Size</u>	<u>§ 121.4</u>	<u>P up to 2,500 sq. ft.;</u> <u>C 2,501 to 4,000 sq. ft.</u>		
2					
3	<u>Open Space</u>	<u>§ 135.1</u>	<u>1 sq. ft. for every 50 sq. ft. of building over 10,000</u> <u>sq. ft.</u>		
4	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 145.1, 150, 151.1,</u> <u>153 - 156, 166, 204.5</u>	<u>No car parking required. Limits set forth in</u> <u>Section 151.1. Bike parking required per Section</u> <u>155.2. Car share spaces required when a project</u> <u>has 25 or more parking spaces per § 166.</u>		
5					
6					
7					
8					
9	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155,</u> <u>161, 204.5</u>	<u>None required if gross floor area is less than</u> <u>10,000 sq. ft.</u>		
10					
11	<u>Commercial Use Characteristics</u>				
12	<u>Drive-up Facility</u>	<u>§ 102</u>	<u>NP</u>		
13	<u>Formula Retail</u>	<u>§§ 102, 303.1</u>	<u>C(2)</u>		
14	<u>Hours of Operation</u>	<u>§ 102</u>	<u>P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.</u>		
15	<u>Maritime Use</u>	<u>§ 102</u>	<u>NP</u>		
16	<u>Open Air Sales</u>	<u>§ 102</u>	<u>P</u>		
17	<u>Outdoor Activity Area</u>	<u>§§ 102, 145.2</u>	<u>P in front, C elsewhere</u>		
18	<u>Walk-up Facility</u>	<u>§ 102</u>	<u>P if recessed 3 ft., C otherwise</u>		
19	<u>NON-RESIDENTIAL USES</u>	-	<u>Controls by Story</u>		
20	-	-	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
21	<u>Agricultural Use Category</u>	-	-	-	-
22	<u>Agriculture, Industrial</u>	<u>§§ 102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Agriculture, Large Scale Urban</u>	<u>§§ 102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
24	<u>Agriculture, Neighborhood</u>	<u>§§ 102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
25	<u>Automotive Use Category</u>	-	-	-	-
26	<u>Automotive Uses*</u>	<u>§§ 102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
27	<u>Parking Garage, Private</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
28	<u>Parking Lot, Private</u>	<u>§ 102</u>	<u>C</u>	<u>C</u>	<u>C</u>
29	<u>Parking Lot, Public</u>	<u>§ 102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

1	<u>Entertainment, Arts and Recreation Use Category</u>				
2	<u>Entertainment and Recreation Uses*</u>	§§ 102, 202.4	NP	NP	NP
3	<u>Movie Theater</u>	§ 102	C	NP	NP
4	<u>Open Recreation Area</u>	§ 102	C	C	C
5	<u>Passive Outdoor Recreation</u>	§ 102	C	C	C
6	<u>Industrial Use Category</u>				
7	<u>Industrial Uses*</u>	§§ 102, 202.2(d)	NP	NP	NP
8	<u>Institutional Use Category</u>				
9	<u>Institutional Uses*</u>	§ 102	P	P	P
10	<u>Hospital</u>	§ 102	C	C	C
11	<u>Medical Cannabis Dispensary</u>	§ 102	NP	NP	NP
12	<u>Philanthropic Admin. Services</u>	§ 102	NP	NP	NP
13	<u>Public Facilities</u>	§ 102	C	C	C
14	<u>Sales and Service Use Category</u>				
15	<u>Retail Sales and Service Uses*</u>	-	P	NP	NP
16	<u>Adult Business</u>	§ 102	NP	NP	NP
17	<u>Animal Hospital</u>	§ 102	NP	NP	NP
18	<u>Bar</u>	§ 102	C	NP	NP
19	<u>Cannabis Retail</u>	§§ 102, 202.2(a)	NP	NP	NP
20	<u>Flexible Retail</u>	§ 102	NP	NP	NP
21	<u>Gift Store- Tourist Oriented</u>	§ 102	NP	NP	NP
22	<u>Hotel</u>	§ 102	NP	NP	NP
23	<u>Jewelry Store</u>	§ 102	C	NP	NP
24	<u>Kennel</u>	§ 102	NP	NP	NP
25	<u>Massage Establishment</u>	§ 102	C	NP	NP
26	<u>Mortuary</u>	§ 102	C	C	NP
27	<u>Motel</u>	§§ 102, 202.2(a)	NP	NP	NP
28	<u>Restaurant</u>	§ 102	C(2)	NP	NP
29	<u>Services, Financial</u>	§ 102	C	NP	NP
30	<u>Services, Fringe Financial</u>	§ 102	NP	NP	NP
31	<u>Services, Limited Financial</u>	§ 102	C	NP	NP
32	<u>Storage, Self</u>	§ 102	NP	NP	NP
33	<u>Tobacco Paraphernalia Store</u>	§ 102	C	NP	NP
34	<u>Trade Shop</u>	§ 102	P	C	NP
35	<u>Non-Retail Sales and Service*</u>	§ 102	NP	NP	NP
36	<u>Design Professional</u>	§ 102	P	NP	NP

Trade Office	§ 102	P	NP	NP
Utility and Infrastructure Use Category				
Utility and Infrastructure*	§ 102	C	C	C
Power Plant	§ 102	NP	NP	NP
Public Utilities Yard	§ 102	NP	NP	NP
Wireless Telecommunications Services Facility	§ 102	P	P	P

**Not listed below*

(1) Installation of a garage in an existing residential building of four or more units requires a mandatory discretionary review by the Planning Commission; Section 311 notice is required for a building of less than four units.

In approving installation of the garage, the Commission shall find that:

(a) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code;

(b) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount;

(c) the building has not had two or more "no-fault" evictions, as defined in Section 37.9(a)(7) through (9 and (11) through (13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past ten years, and

(d) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.

Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (a), (b), and (c) above, which the Department shall independently verify. The Department shall also have made a determination that the project complies with (d) above.

(2) Formula Retail Restaurants are NP in all Chinatown MUDs.

No.	Zoning Category	§ References	Chinatown Residential Neighborhood Commercial Controls
BUILDING STANDARDS			
10	Height and Bulk	§§ 102.12, 105, 106, 250-252, 260, 263.4, 270, 271	P up to 35 feet # C 50 ft., portions of Grant & Pacific C 65 ft., except 85 ft. for portions of Stockton if low income housing See Zoning Map, § 254 50 ft. length and 100 ft. diagonal and above 40 ft. See Zoning Map, § 270
11	Lot Size [Per Development]	§§ 121, 890.56	P up to 5,000 sq. ft. C 5,001 sq. ft. & above § 121.3
12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified § 134.1

1	13	Sun Access Setbacks		15 ft. at specified heights § 132.3
2	14	Maximum Street Frontage [Per Building]		P to 50 feet C more than 50 feet § 145.3
3	15	Awning	§ 136.2(a)	P
4	16	Canopy	§ 136.2(b)	
5	17	Marquee	§ 136.2(c)	
6	COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES			
7	19	Floor Area Ratio	§§ 102.9, 102.11, 123	1.0 to 1 § 124(a) (b)
8	20	Use Size [Nonresidential]	§ 890.130	P up to 2,500 sq. ft. C 2,501 to 4,000 sq. ft. § 121.4
9	21	Open Space		1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft. § 135.1
10	22	Off Street Parking, Commercial and Institutional	§§ 150, 151.1, 153-156, 166, 204.5, 303	None Required
11	23	Off Street Freight Loading	§§ 150, 153-155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b). Exception permitted per § 155.
12	24	Outdoor Activity Area	§ 890.71	P in front C elsewhere
13	25	Drive Up Facility	§ 890.30	
14	26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
15	27	Hours of Operation	§ 890.48	P 6 a.m. - 11 p.m. C 11 p.m. - 2 a.m.
16	30	General Advertising Sign	§ 607.2	NP
17	31	Business Sign	§§ 602-604, 608.1, 608.2	P § 607.2(f)

No.	Zoning Category	§ References	Chinatown Residential Neighborhood Commercial Controls by Story		
			1st	2nd	3rd+

Retail Sales and Services

1	<i>Retail Sales and Services</i>				
2		<i>Other Retail Sales and</i>			
3	<i>40a</i>	<i>Services</i>	<i>§ 890.102</i>	<i>P</i>	
4		<i>[Not Listed Below]</i>			
5	<i>40b</i>	<i>Gift Store—Tourist Oriented</i>	<i>§ 890.39</i>		
6	<i>40e</i>	<i>Jewelry</i>	<i>§ 890.51</i>	<i>C</i>	
7	<i>41</i>	<i>Bar</i>	<i>§ 790.22</i>	<i>C</i>	
8	<i>43</i>	<i>Limited Restaurant</i>	<i>§ 790.90</i>	<i>P</i>	
9	<i>44</i>	<i>Restaurant</i>	<i>§ 790.91</i>	<i>C</i>	
10	<i>45</i>	<i>Take-Out Food</i>	<i>§ 790.122</i>	<i>C</i>	
11	<i>46</i>	<i>Movie Theater</i>	<i>§ 890.64</i>	<i>C</i>	
12	<i>47a</i>	<i>Adult Entertainment</i>	<i>§ 890.36</i>		
13	<i>47b</i>	<i>Other Entertainment</i>	<i>§ 890.37</i>		
14	<i>48</i>	<i>Amusement Game Arcade</i>	<i>§ 890.4</i> <i>§ 1036 Police</i> <i>Code</i>		
15	<i>49</i>	<i>Financial Service</i>	<i>§ 890.110</i>	<i>C</i>	
16	<i>50</i>	<i>Limited Financial Service</i>	<i>§ 890.112</i>	<i>C</i>	
17	<i>51</i>	<i>Medical Service</i>	<i>§ 890.114</i>	<i>P</i>	
18	<i>52</i>	<i>Personal Service</i>	<i>§ 890.116</i>	<i>P</i>	
19	<i>53</i>	<i>Professional Service</i>	<i>§ 890.108</i>	<i>P</i>	
20	<i>54</i>	<i>Massage Establishment</i>	<i>§ 890.60</i> <i>Art. 29 Health</i> <i>Code</i>	<i>C#</i>	
21	<i>55</i>	<i>Tourist Hotel</i>	<i>§ 890.46</i>		
22	<i>56</i>	<i>Automobile Parking Lot,</i> <i>Community Commercial</i>	<i>§§ 156, 160,</i> <i>890.9</i>	<i>C</i>	
23	<i>57</i>	<i>Automobile Parking</i> <i>Garage, Community</i> <i>Commercial</i>	<i>§ 160, 890.10</i>	<i>C</i>	
24	<i>58</i>	<i>Automobile Parking Lot,</i> <i>Public</i>	<i>§ 156, 890.11</i>	<i>C</i>	
25	<i>59</i>	<i>Automobile Parking</i> <i>Garage, Public</i>	<i>§ 890.12</i>		
	<i>60</i>	<i>Automotive Gas Station</i>	<i>§ 890.14</i>		

1	.61	Automotive Service Station	§ 890.18				
2	.62	Automotive Repair	§ 890.15				
3	.63	Automotive Wash	§ 890.20				
4	.64	Automotive Sale or Rental	§ 890.13				
5	.65	Animal Hospital	§ 890.6				
6	.66	Ambulance Service	§ 890.2				
7	.67	Mortuary	§ 890.62	C	C		
8	.68	Trade Shop	§ 890.124	P			
9	.70	Administrative Service	§ 890.106				
10	.71	Light Manufacturing or Wholesale Sales	§ 890.54				
11	.72	Fringe Financial Service	§ 890.113				
12	.73	Tobacco Paraphernalia Establishments	§ 890.123	C			
13	.74A	Neighborhood Agriculture	§ 102.35(a)	P	P	P	
14	.74B	Large Scale Urban Agriculture	§ 102.35(b)	C	C	C	
15	<i>Institutions</i>						
16	.80	Hospital or Medical Center	§§ 124.1, 890.44	C	C	C	
17	.81	Other Institutions	§ 890.50	P	P	P	
18	.82	Public Use	§ 890.80	C	C	C	
19	RESIDENTIAL STANDARDS AND USES						
20	.90	Residential Use	§ 890.88	P	P	P	
21	.91	Dwelling Unit Density	§§ 207, 207.1, 890.88(a)	Generally, up to 1 unit per 200 sq. ft. lot area # § 207(e)			
22	.92	Residential Density, Group Housing	§§ 207.1, 208, 890.88(b)	1 bedroom per 140 sq. ft. lot area § 208			
23	.92b	Residential Density, Homeless Shelters	§§ 102, 207.1, 208, 890.88(d)	Density limits per § 208(a)			
24	.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	48 sq. ft. § 135 Table 3			
25	.94	Off Street Parking, Residential	§§ 150, 151.1, 153-156, 204.5, 303	P up to one car for each two Dwelling Units, but subject to § 155; C up to .75 cars for each Dwelling Unit, subject to the criteria and procedures of			

			Sections 303(u) and 151.1(e), NP above 0.75 cars for each Dwelling Unit		
95	Automobile Parking Lot, Community Residential	§ 156, 160, 890.7	C	C	C
96	Automobile Parking Garage, Community Residential	§ 160, 890.8	C	C	C
97	Residential Conversion or Demolition, Residential Hotels	Ch. 41 Admin. Code			
98	Residential Conversion, Demolition, or Merger	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.		
OTHER USES					
99	Wireless Telecommunications Services Facility	§ 102	P	P	P

**SPECIFIC PROVISIONS FOR CHINATOWN
RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT**

Section	Zoning Controls
§ 812.10 § 270	50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map III.
§ 812.54 § 890.60 Art. 29 Health Code	MESSAGE ESTABLISHMENT Controls: Massage shall generally be subject to Conditional Use authorization. Certain exceptions to the Conditional Use requirement for massage are described in Section 303(n). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(e), the criteria described in Section 890.60(b).
§ 812 § 812.91 § 207(e)(4)	ACCESSORY DWELLING UNITS Boundaries: Within the boundaries of the Chinatown Residential Neighborhood Commercial District. Controls: An "Accessory Dwelling Unit," as defined in Section 102 and meeting the requirements of Section 207(e)(4) is permitted to be constructed within an existing building in areas that allow residential use or within an existing and authorized auxiliary structure on the same lot, provided that it does not eliminate or reduce a ground-story retail or commercial space.
§ 812.94 § 303 § 803.2	Installation of a garage in an existing residential building of four or more units requires a mandatory discretionary review hearing by the Planning Commission; Section 311 notice is required for a building of less than four units. In approving installation of the garage, the Commission shall find that:

~~(1) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code;~~

~~(2) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount;~~

~~(3) the building has not had two or more "no fault" evictions, as defined in Section 37.9(a)(7) (13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past ten years, and~~

~~(4) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.~~

~~Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (1), (2), and (3) above, which the Department shall independently verify. The Department shall also have made a determination that the project complies with (4) above.~~

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

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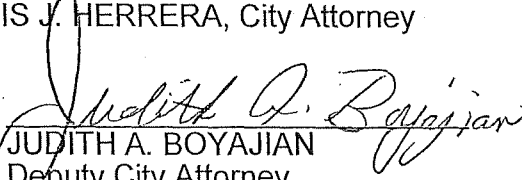
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additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By:


JUDITH A. BOYAJIAN
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(9/3/2019, Amended in Board)

[Planning Code - Reorganization of Chinatown Mixed Use Districts]

Ordinance amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization; affirming the Planning Department's determination under the California Environmental Quality Act; and 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 welfare under Planning Code, Section 302.

Existing Law

- Planning Code Section 102 contains standard definitions used throughout the Code
- Section 121.4 establishes maximum use size limits in mixed use districts
- Section 134.1 establishes the percentage of site coverage allowed in Chinatown Mixed Use Districts
- Section 201 establishes the classes of use districts
- Section 249.25 establishes the Jackson Square Special Use District
- Section 249.66 establishes the Chinatown Transit Station Special Use District
- Section 263.12 establishes special height exceptions for a portion of the Chinatown Residential Neighborhood Commercial District
- Section 803 describes the requirements for Mixed Use Districts and Section 803.2 describes the uses permitted in the Chinatown Mixed Use Districts
- Section 809 is a guide to understanding the Mixed Use District zoning controls
- Sections 810, 811, and 812 sets forth the zoning controls applicable in the Chinatown Community Business District, Chinatown Visitor Retail District, and Chinatown Residential Neighborhood Commercial District

Amendments to Current Law

- Section 102 is amended to update two definitions
- Section 121.4 is amended to clarify that any space that exceeds the use size maximum limits is deemed abandoned with any change of use or if no business has been operational for a period of three years or more, with exceptions for spaces with a Legacy Business or Institutional Use.
- Sections 134.1, 201, 249.25, 249.66, 263.12 are amended to update cross-references and make non-substantive language corrections

FILE NO. 190594

- Sections 803, 803.2, and 809 are amended to update the zoning control use categories for the Chinatown Mixed Use Districts
- The existing zoning control tables in Sections 810, 811, and 812 are deleted and replaced by zoning control tables that are consistent with those in Articles 2 and 7. General Entertainment and Nighttime Entertainment uses are allowed with a Conditional Use authorization

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SAN FRANCISCO PLANNING DEPARTMENT

May 14, 2019

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: Transmittal of Planning Department Case Number 2017-016416PCA:
Code Reorganization: Chinatown
Board File No. TBD
Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo,

On May 9, 2019, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, initiated by the Planning Commission that would amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization. At the hearing the Planning Commission recommended approval with modification. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls in the Chinatown Mixed use Districts will be maintained.
2. Revise the proposed ordinance so that Formula Retail is prohibited in the Chinatown Visitor Retail District, and that Formula Retail Restaurants are prohibited in all Chinatown Mixed Use Districts, consistent with existing Planning Code requirement.

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

This ordinance is being transmitted to you for introduction at the Board. Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

2019 MAY 14 PM 4:45
SANTA ANITA
SANTA ANITA

Transmittal Materials

CASE NO. 2017-016416PCA
Code Reorganization: Chinatown

cc:

Judy Boyajian, Deputy City Attorney
Erica Major, Office of the Clerk of the Board

Attachments:

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20449

HEARING DATE MAY 9, 2019

Project Name: Code Reorganization: Chinatown
Case Number: 2017-016416PCA [Board File No. TBD]
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RESOLUTION APPROVING WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REVISE THE ZONING CONTROL TABLES OF THE CHINATOWN MIXED USE DISTRICTS TO MAKE THEM CONSISTENT WITH THOSE IN ARTICLES 2 AND 7, TO APPLY THE USE DEFINITIONS IN SECTION 102, TO SET AN ABANDONMENT PERIOD FOR USE SIZE MAXIMUMS, AND TO ALLOW GENERAL ENTERTAINMENT AND NIGHTTIME ENTERTAINMENT USES WITH CONDITIONAL USE AUTHORIZATION; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND 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 WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on April 11, 2019 the Planning Commission initiated a proposed Ordinance, amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 9, 2019; and,

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

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

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

MOVED, that the Planning Commission hereby approves with modifications the proposed ordinance. The Planning Commissions proposed modification is as follows:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls in the Chinatown Mixed use Districts will be maintained.
2. Revise the proposed ordinance so that Formula Retail is prohibited in the Chinatown Visitor Retail District, and that Formula Retail Restaurants are prohibited in all Chinatown Mixed Use Districts, consistent with existing Planning Code requirement.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. At over 1,336 pages and including 111 zoning districts, the Planning Code is a large and complicated document. This complexity, some of which is necessary, can make it difficult to effectively implement and interpret the City's land use regulations. It also makes it difficult for members of the community to effectively engage in the City's development process. The Commission strongly believes that consolidating use definitions and making the Planning Code easier to use by creating standardized zoning control tables for all zoning districts will help mitigate these issues.
2. The Commission finds that standardizing how zoning districts are organized will aide future community planning efforts by providing a clear framework for existing land use regulations and use definitions.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

Housing Element

OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH, AND TRANSPARENT DECISION-MAKING PROCESS.

Policy 10.1

Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.

The proposed Ordinance will bring more consistency to the Planning Code by consolidating uses into one section of the Code. This will ensure that each zoning district references one definition for a particular use.

The proposed Ordinance will also reorganize Chinatown Zoning Controls Tables so that they are consistent with the other zoning control tables in the Planning Code. Both improvements will help bring certainty to the development process by providing clear community parameters for development and consistent application of these regulations.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.2

Assure that all commercial and industrial uses meet minimum, reasonable performance standards. *The proposed Ordinance organizes the commercial and industrial operating and location restrictions into one easily referenced section of the planning code helping to ensure that such standards are enforced and understood.*

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed ordinance will preserve appropriate land use controls for commercially zoned property.

4. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

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

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

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

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

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

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

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

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

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

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

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

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

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

5. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

Resolution No. 20449
May 9, 2019

CASE NO. 2017-016416PCA
Code Reorganization: Chinatown

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 9, 2019.

Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Koppel, Melgar, Moore

NOES: None

ABSENT: Johnson, Richards

ADOPTED: May 9, 2019



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment HEARING DATE: MAY 9, 2019 90-DAY DEADLINE: N/A

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Code Reorganization: Chinatown
Case Number: 2017-016416PCA [Board File No. TBD]
Initiated by: Planning Commission / Initiated April 11, 2019
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: Approval with Modifications

PLANNING CODE AMENDMENT

Ordinance amending the Planning Code to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization; affirming the Planning Department's determination under the California Environmental Quality Act; and 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 welfare under Planning Code, Section 302.

The Way It Is Now:

1. Planning Code Sections 810, 811, and 812 (Chinatown Mixed-Use Districts) contain land use controls, development standards, and density controls for the Chinatown Mixed-Use Districts. These controls are outlined in zoning control tables.
2. All uses allowed in the Chinatown Mixed-Use Districts are defined in Section 890 of the Planning Code.
3. Planning Code Section 121.4 sets a maximum use size for non-residential uses in the Chinatown Visitor and Residential Neighbored Commercial Districts. Once approved, these maximum use sizes are not abandoned with a change of use or if the underlying use is abandoned.
4. In the Chinatown Visitor Retail District, Other Entertainment (to be changes to General Entertainment and Nighttime Entertainment) is principally permitted, but can only be approved if the use is associated with a Restaurant.

The Way It Would Be:

1. Planning Code Sections 810, 811, and 812 will still contain land use controls, development standards, and density controls for the Chinatown Mixed-Use Districts; however, the proposed ordinance would revise the zoning control tables to match the tables in Articles 2 and 7.
2. Chinatown Mixed-Use Districts would use the standardized use definitions in Section 102.

3. Planning Code Section 121.4 would be amended so that the maximum use size would be abandoned with any change of use or if no business has been operational for a period of three years or more.
4. In the Chinatown Visitor Retail District, General Entertainment and Nighttime Entertainment would be permitted with Conditional Use Authorization.

BACKGROUND

Overall Goals and Phasing

Initiated in 2013, the Code Reorganization Project seeks to restructure the Planning Code so that it's easier to read, understand, and use. Phase 1 of the Planning Code Reorganization project focused on Article 2 and consolidated definitions into Planning Code Section 102. Phase 2 focused on Article 7 of the Planning Code. This Phases, Phase 3.1, focuses solely on Chinatown Mixed Use Districts. Phase 3.2 will focus on the Eastern Neighborhood Mixed Use Districts.

Phase 1 of the Code Reorganization program streamlined the use definitions in the Planning Code by consolidating them into one section of the Code (Section 102). The Planning Department also reorganized Article 2, which includes Residential (RH, RM, and RC), Downtown (C-3), and Industrial (PDR, and M) zoning districts, by creating Zoning Control Tables similar to the ones already used in our Neighborhood Commercial Districts. The major benefit to Zoning Control Tables is that they allow users to obtain building standards and use controls for a zoning district in one easy to use chart. The Planning Commission approved of the Phase 1 in October of 2014 and Phase 2 in February of 2017.

Having successfully completed Phase 1 and 2, the Department is now proposing to initiate Phase 3.1. This phase of the project will focus on Article 8 of the Planning Code, which contains controls for the Chinatown Mixed -Use Districts. Phase 3.2 will focus on The Eastern Neighborhoods Mixed Use Districts.

One of the benefits of the new zoning control tables is that they will account for every use in the Code. This will allow users to easily find out what uses are allowed in a zoning district in one chart, rather than having to rely on interpretations by the Zoning Administrator or complex cross referencing. It will also allow for greater customization by removing use groupings that limit how certain uses can be regulated.

How Did We Get Here?

The Planning Code maintained the same basic structure until 1986 when the NCD controls were added to the Code in Article 7. Prior to that, all development standards and general definitions were in Article 1, and use definitions and use controls were in Article 2.

For its time, Article 7 was a dramatically new way of organizing the Planning Code and thinking about land use, primarily because it used vertical controls to regulate uses; however, because of the structural differences between Articles 2 and 7, and the desire to more closely regulate retail and service uses, Article 7 was given its own set of use definitions. When Article 8 was added to the Code, it followed the same format as Article 7 along with adding its own list of use definitions. As a result, at the start of the Code Reorganization Process there were four different section of the Planning Code that contained definitions. Today we have two sets of definitions; one for R, C, M, PDR, and NC Districts in Section 102,

one for MUDs in Article 8. At the end of this process, there will only be one set of definitions in the Planning Code (Section 102) and one standard format for zoning control tables.

ISSUES AND CONSIDERATIONS

Specific Provisions in Chinatown Zoning Districts

Chinatown has several specific provisions in addition to standard land use controls and building standards. One of them is a provision that links the approval and operation of any Other Entertainment use to the establishment and operation of a Restaurant. Other Entertainment, as defined in Article 8, groups General Entertainment (pool halls, bowling alleys) and Nighttime Entertainment uses (dance clubs, or events that or any performance where alcohol is served during the performance) into one use. Using the use definitions in Section 102, Chinatown districts will be able to regulate General Entertainment and Nighttime Entertainment separately in the future.

When the Planning Commission initiated this ordinance it directed staff, at the request of CCDC, to include substantive amendment to allow both General Entertainment and Nighttime Entertainment in the Chinatown Visitor Retail District with Conditional Use authorization. This change is in the version of the ordinance being considered by the Planning Commission for adoption.

Non-Residential Use Size Limits

Chinatown also has its own non-residential use size limits, which are promulgated in Planning Code Section 121.4 (see chart below). These use size limits are intended to protect and maintain small scale use within an historically significant area and to conserve neighborhood-serving uses in Chinatown. Unlike most other districts, these non-residential use size limits have a maximum threshold, which prohibits any non-residential use above that limit. Other districts set a size at which a CU (Conditional Use) is required, but only a few set a maximum cap like Chinatown does.

Currently, Use Size cannot be abandoned like Uses. For example, typically a Restaurant Use would be abandoned if there had not been a Restaurant operating in a space for 3 years. If Restaurants are prohibited in that zoning district, then after three years a new Restaurant Use could not move into that space. Similarly, if a CU is required for a Restaurant, then after three years a business would need to get a new CU authorization to reestablish the Restaurant Use. Use Size Limits are physical characteristic, and not a Use so they do not have such an abandonment period. At the initiation hearing, the Commission directed staff, at the request of CCDC, to include a substantive change to Section 121.4 that would require Use Sizes to become abandoned with any change of use. This change is in the version of the ordinance being considered by the Planning Commission for adoption.

District	Use Size Maximum	Use Size Limit
Chinatown Visitor	5,000 sq. ft.	2,500 sq. ft.
Chinatown Residential Neighborhood Commercial	4,000 sq. ft.	2,500 sq. ft.
Chinatown Community Business	None	5,000 sq. ft.

Use Consolidation and Changes

In consolidating the definitions into Section 102, Staff was careful to preserve all existing use definitions so that existing land use controls could be preserved. To achieve this, use groupings (definitions that include multiple discrete uses) were broken up into their more discrete uses. For example, in Article 2 Institutional Uses like Hospitals, Schools, and Social Services are all regulated and defined separately; however, in Articles 7 and 8 these uses are combined into a definition called Other Large Institution, or Other Institutions respectively. Conversely Articles 7 and 8 are very specific when it comes to Retail Sales and Services Uses, whereas Article 2 made few distinctions in this category. Under the new Section 102 definition the Use Category Retail Sales and Service includes 34 different uses, the clear majority of which came from Articles 7 and 8. The new consolidated set of use definitions ensure that existing fined grained controls in all districts can be maintained, while reducing redundancy in the Code by eliminating multiple sets of definitions.

The following Section 890 definitions have been broken up into their more discrete uses in Section 102:

- **Public Use:** Public Facilities, Open Recreation Area, Passive Outdoor Recreation, Community Recycling Center, Internet Service Exchange, Public Transportation Facility, and Utility Installation.
- **Other Institution:** Residential Care Facilities Community Facilities, Private Community Facilities, Job Training, Post-Secondary Educational Institution, School, Religious Institution, Social Service or Philanthropic Facility, and Trade School.
- **Other Retail Sales and Service:** General Retail Sales & Service, General Grocery, Specialty Grocery, Cat Boarding, Non-Auto Vehicle Sales/Rental, and Pharmacy.
- **Massage Establishment:** Massage Establishment and Foot/Chair Massage
- **Personal Services:** Personal Service and Instructional Services.
- **Business or Professional Services:** Retail Professional Service, Design Professional, and Trade Office.
- **Other Entertainment:** General Entertainment, and Nighttime Entertainment.

Organizing Structure

The organizational system that this proposal uses was developed as part of Phase 1 of the Code Reorganization Project. As stated earlier, one of the goals of this project is to bring consistency to the Planning Code. This consistency extends not only to the use definitions, but also to how those controls are promulgated. The organization system is based on eight defined use categories. This system allows for all uses to be accounted for in each zoning district without having to list each use in every chart. Each use definition starts by indicating which use category it belongs to, and each use category is defined in Section 102 and includes all the uses that are within that category.

All of the Planning Code's 116+ uses definitions have been placed in one of the following eight use categories:

1. **Agriculture**
2. **Industrial**
3. **Institutional:** Education, Healthcare and Community
4. **Sales and Service:** Retail, Non-Retail

5. Residential
6. Entertainment, Arts and Recreation: Non-Commercial, Retail
7. Automotive: Non-Retail, Retail
8. Utility and Infrastructure

These categories then inform how the zoning control tables are organized. Each use category has its own section in the table in which the category is listed first, followed by any use in that category that has a different land use control. Below is an example of how this works in the zoning control tables. The “*” in the chart indicates “Not Listed Below.”

Controls by Story				
Industrial Use Category	Section	1st	2nd	3rd+
Industrial Uses	§§102, 202.2(d)	NP	NP	NP
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P	P
Hospital	§102	NP	NP	NP
Medical Cannabis Dispensary	§§102, 202.2(e)	DR	NP	NP
Philanthropic Admin. Services	§102	NP	NP	NP
Public Facilities	§102	C	C	C
Residential Care Facility	§102	P	P	P

As shown in the table above, instead of listing all 21 Industrial Uses in the zoning control table, the chart only lists the Industrial Use category, and then indicates that the uses under this category are NP (not permitted). Under Institutional Uses, instead of listing all 14 different Institutional Uses, the chart only lists those uses that have controls different from the overall use category. This system helps reduce the length and complexity of the tables. If the reader wants to know what uses are included in the category, they can look it up in Section 102. Conversely, if someone wants to know what category a use is in they can look at the definition of the use in Section 102.

This system also allows every use definition to be accounted for in each district. Currently, in Articles 7 and 8; if the definition is not listed it is not permitted with some exceptions. Staff has found that omitting the use from the table makes the Code vague, especially for members of the public who are not aware of the rule. Also, some charts list uses that others don't, only adding to the confusion. It also requires the Zoning Administrator to make interpretations about some missing uses. For example, Kennels are not listed in the Article 7 charts, but Animal Hospitals are listed. Because the question came up with a proposed project, the Zoning Administrator made an interpretation that Kennels are regulated like Animal Hospitals in NCDs. Accounting for every use in the Code in all zoning districts will help reduce the need to Zoning Administrator interpretations and make the Code clearer for users.

Changes Since Initiation

Since initiation, the ordinance has been amended to include the requested changes from CCDC described in this report, as well as other small clerical changes.

General Plan Compliance

The proposed ordinance is in compliance with the General Plan's Commerce and Industry Element in that it preserves reasonable performance standards, and appropriate land use controls for commercially zoned property. It is also in compliance with the Housing Element in that it helps create certainty in the development process by providing clear community parameters for development.

Implementation

The Department determined that this ordinance will help the Department implement the Planning Code by standardizing the Planning Code, making it easier to use and understand. Overall, Current Planning Staff, Citywide Staff and Enforcement Staff have found the recent changes to Article 2 very helpful in clarifying controls and making the Code much easier to use.

RECOMMENDATION

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendations are as follows:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls in the Chinatown Mixed use Districts will be maintained.

BASIS FOR RECOMMENDATION

At over 1336 pages and including 111 zoning districts, the Planning Code is a large and complicated document. This complexity, some of which is necessary, can make it difficult to effectively implement and interpret the City's land use regulations. It also makes it difficult for members of the community to effectively engage in the City's development process. The Department strongly believes that consolidating use definitions and making the Planning Code easier to use by creating zoning control tables for all zoning districts will help mitigate these issues. Further, standardizing how zoning districts are organized will aid future community planning efforts by providing a clear framework for existing land use regulations and use definitions.

Recommendation 1: Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained. While staff can continue to make non-substantive changes to the ordinance as it moves through the legislative process, there may be changes that the City Attorney's office considers substantive changes to the ordinance, but which are intended to preserve existing Planning Code controls. Staff respectfully asks that the Commission include this recommendation in their motion in case any such changes need to occur. This same recommendation was made for Phase 2 of the Code Reorganization and was effective and providing a more accurate and complete ordinance to the Board.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

ENVIRONMENTAL REVIEW

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

PUBLIC COMMENT

The Planning Department has reached out to Supervisor Peskin's office, CCDC, and discussed the proposed changes with them. CCDC proposed amendments to this ordinance, which are discussed in this report. Otherwise, the Department has not received any other public comment regarding the proposed Ordinance.

Attachments:

Exhibit A: Draft Planning Commission Resolution

Exhibit B: Proposed Ordinance

