

BOARD of SUPERVISORS



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M E M O R A N D U M

TO: Budget and Legislative Analyst

FROM: John Carroll, Assistant Clerk, Land Use and Transportation Committee

DATE: July 3, 2025

SUBJECT: LEGISLATION AMENDED - FISCAL IMPACT DETERMINATION

The Board of Supervisors' Land Use and Transportation Committee (a nonfiscal committee) amended the following legislation on June 30, 2025. Pursuant to Administrative Code, Section 2.6-3, the new version is being forwarded to you as it was initially determined not to have fiscal impact.

File No. 250542-2

Ordinance amending the Planning Code to 1) principally permit certain non-retail sales and service uses, including general office, design professional, business services, non-retail professional services, and trade offices, on the ground floor in the C-3 ("Downtown Commercial") Districts through December 31, 2030, after which such uses will be conditionally permitted, and make accompanying revisions to required ground floor uses and Floor Area Ratio; 2) principally permit retail sales and service uses on the second floor and above in the RC ("Residential-Commercial") Districts; 3) principally permit non-retail sales and service uses on the second floor and above, and conditionally permit catering and laboratory uses on the ground floor in the RC Districts; 4) update transparency and fenestration requirements for ground floor active uses and exempt child care facilities, homeless shelters, mortuaries, religious institutions, reproductive health clinics, and school uses from those requirements; 5) modify the definition of a Window Sign; 6) modify Planning review and approval of changes in copy of a Sign and Wall and Window Signs applied to doors, windows, or building facades; 7) modify the definition of a Non-Residential Use for the purposes of certain development impact fee waivers; and 8) modify permitted and required ground floor uses in the RH-DTR ("Rincon Hill Downtown Residential") District, including uses in certain historic buildings, subject to various conditions; 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

If the new version is determined to have fiscal impact, the legislation will need to be referred to a fiscal committee before it can be referred to the full Board for approval.

Please send your determination or contact with me any questions at (415) 554-4445 or email: john.carroll@sfgov.org.

RESPONSE FROM THE BUDGET AND LEGISLATIVE ANALYST - Date: _____

_____ This matter has fiscal impact.

_____ This matter does not have fiscal impact.

_____ Additional information attached.

Budget and Legislative Analyst

From: [Menard, Nicolas \(BUD\)](#)
To: [Carroll, John \(BOS\)](#)
Cc: [Somera, Alisa \(BOS\)](#); [Goncher, Dan \(BUD\)](#); [BOS Legislation, \(BOS\)](#)
Subject: RE: REFERRAL BLA - FISCAL IMPACT DETERMINATION REQUEST - AMENDED IN LUT - BOS File No. 250542 - Planning Code - Fenestration, Transparency, and Sign Requirements Generally; Sales and Service Uses in the C-3 and RC Districts
Date: Thursday, July 3, 2025 2:49:31 PM
Attachments: [image001.png](#)

Hi John

This ordinance, as amended, does not have fiscal impact.

Nicolas Menard
Budget & Legislative Analyst's Office
415-484-5485

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Thursday, July 3, 2025 10:21 AM
To: Menard, Nicolas (BUD) <nicolas.menard@sfgov.org>
Cc: Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Goncher, Dan (BUD) <dan.goncher@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: REFERRAL BLA - FISCAL IMPACT DETERMINATION REQUEST - AMENDED IN LUT - BOS File No. 250542 - Planning Code - Fenestration, Transparency, and Sign Requirements Generally; Sales and Service Uses in the C-3 and RC Districts

Good morning,

The subject ordinance was amended in LUT on June 30, 2025. It was then continued to the call of the Chair as amended.

At the time of introduction this ordinance was determined to not have fiscal impact.

[Referral to BLA – July 3, 2025](#)

Pursuant to Admin Code, Section 2.6-3, please review the amended ordinance to determine whether the amendments result in the legislation having a fiscal impact.

You are invited to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 250542](#)

1 [Planning Code - Fenestration, Transparency, and Sign Requirements Generally; Sales and
2 Service Uses in the C-3 and RC Districts]

3 **Ordinance amending the Planning Code to 1) principally permit certain non-retail sales**
4 **and service uses, including general office, design professional, business services,**
5 **non-retail professional services, and trade offices, on the ground floor in the C-3**
6 **(“Downtown Commercial”) Districts through December 31, 2030, after which such uses**
7 **will be conditionally permitted, and make accompanying revisions to required ground**
8 **floor uses and Floor Area Ratio; 2) principally permit retail sales and service uses on**
9 **the second floor and above in the RC (“Residential-Commercial”) Districts; 3)**
10 **principally permit non-retail sales and service uses on the second floor and above, and**
11 **conditionally permit catering and laboratory uses on the ground floor in the RC**
12 **Districts; 4) update transparency and fenestration requirements for ground floor**
13 **actives uses and exempt child care facilities, homeless shelters, mortuaries, religious**
14 **institutions, reproductive health clinics, and school uses from those requirements; 5)**
15 **~~define an Interior Sign and the applicable standards for Interior Signs~~modify the**
16 **definition of a Window Sign; 6) ~~exempt Interior Signs of six square feet or less and~~**
17 **~~Business and Identifying Signs painted on building facades from a permit under the~~**
18 **~~Planning Code~~modify Planning review and approval of changes in copy of a Sign and**
19 **Wall and Window Signs applied to doors, windows, or building facades; 7) modify the**
20 **definition of a Non-Residential Use for the purposes of certain development impact fee**
21 **waivers; and 8) modify permitted and required ground floor uses in the RH-DTR**
22 **(“Rincon Hill Downtown Residential”) District, including uses in certain historic**
23 **buildings, subject to various conditions; affirming the Planning Department’s**
24 **determination under the California Environmental Quality Act; and making findings of**
25 **consistency with the General Plan and the eight priority policies of Planning Code,**

1 **Section 101.1; and making findings of public necessity, convenience, and welfare**
2 **pursuant to Planning Code, Section 302.**

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

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

11 Section 1. Environmental and Land Use Findings.

12 (a) The Planning Department has determined that the actions contemplated in this
13 ordinance comply with the California Environmental Quality Act (California Public Resources
14 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
15 Supervisors in File No. 250542 and is incorporated herein by reference. The Board affirms
16 this determination.

17 (b) On June 26, 2025, the Planning Commission, in Resolution No. 21758, adopted
18 findings that the actions contemplated in this ordinance are consistent, on balance, with the
19 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
20 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
21 Board of Supervisors in File No. 250542, and is incorporated herein by reference.

22 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 21758, and the Board incorporates such
25 reasons herein by reference. A copy of said resolution is on file with the Clerk of the Board of
26 Supervisors in File No. 250542.

1 Section 2. Background and General Findings.

2 (a) Fast, predictable, and transparent permitting processes will create new jobs,
3 businesses, and homes, as well as facilitate the City's economic recovery from the COVID-19
4 pandemic. Commonly referred to as "PermitSF," the City's effort to reform permitting consists
5 of improving the customer experience by streamlining approval processes; promoting
6 government accountability to provide certainty about the delivery of government services; and
7 centralizing technology to create a single point of permitting access.

8 (b) This ordinance enhances customer experience by removing barriers to ground floor
9 uses in the downtown, where economic recovery continues to lag behind other
10 neighborhoods. Removing the conditional use requirement will streamline the approval of
11 certain non-retail sales and service uses—including office uses—in the C-3 (Downtown
12 Commercial) Districts through December 31, 2030. To facilitate these ground floor uses, the
13 ordinance makes accompanying changes to required ground floor commercial uses and Floor
14 Area Ratio requirements. The ordinance also promotes downtown recovery by expanding the
15 definition of a Non-Residential Use for the purpose of existing development impact fee
16 waivers available to projects in the C-3 District, or a C-2 (Community Business) District east of
17 or fronting Franklin Street/13th Street and north of Townsend Street. The ordinance also
18 principally permits all uses in certain historic buildings in the RH-DTR ("Rincon Hill Downtown
19 Residential") District, subject to various conditions.

20 (c) This ordinance also streamlines the approval of sales and service uses on upper
21 floors in the RC (Residential-Commercial Districts) by removing the conditional use
22 requirement for retail sales and service uses and removing the prohibition on non-retail sales
23 and service uses on the upper floors.

24 (d) This ordinance also enhances the customer experience by centralizing information
25 in the Planning Code, specifically, codifying an existing Zoning Administrator Interpretation of

fenestration and visibility requirements for ground floor active uses. The ordinance also exempts various uses with unique operational needs that necessitate privacy (such as reproductive health, childcare, schools, and mortuaries) from these fenestration and visibility requirements.

(e) This ordinance streamlines the approval process of various types of signs, by ~~creating a permit exception for business or identifying signs painted on building facades and interior signs that measure six square feet or less. The ordinance also defines an interior sign and provides clear, objective criteria for the regulation of interior signs~~including changes in copy of Signs and Wall and Window Signs that are applied (such as through the use of nylon or paint) to building facades, windows, and doors. The ordinance also narrows the definition of a Window Sign to such Signs that touch only glazing, to enable businesses to have more flexibility in the ways they display Signs inside the business premises.

Section 3. Articles 1.2, 2, 4, 6, and 68 of the Planning Code are hereby amended by revising Sections 124, 145.1, 145.4, 209.3, 210.2, 249.78, 401, 406, 602, 604, 606, 607, 607.1, 607.2, and 608.14, and 803.9, to read as follows:

SEC. 124. BASIC FLOOR AREA RATIO.

(a) Except as otherwise provided in subsections (b), (c), (d), (e), and (f) of this Section 124, the basic Floor Area Ratio limits specified in the Zoning Control Table for the district in which the lot is located, or in Table 124 below, shall apply to each building or development in the districts indicated.

* * * *

1 (m) Floor Area Ratio limits shall not apply to any new Gross Floor Area created in a C-
2 3 District through a change of use on the ground floor of space that was devoted to uses
3 previously excluded from Gross Floor Area per Section 102.

4
5 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,**
6 **RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

7 * * * *

8 (c) **Controls.** The following requirements shall generally apply, except for those
9 controls listed in subsections (c)(1) Above Grade Parking Setback and (c)(4) Ground Floor
10 Ceiling Height, which only apply to a “development lot” as defined above and except as
11 specified in subsection (d).

12 * * * *

13 (6) **Transparency and Fenestration.** Frontages with active uses ~~that are not~~
14 PDR must comply with the following requirements:

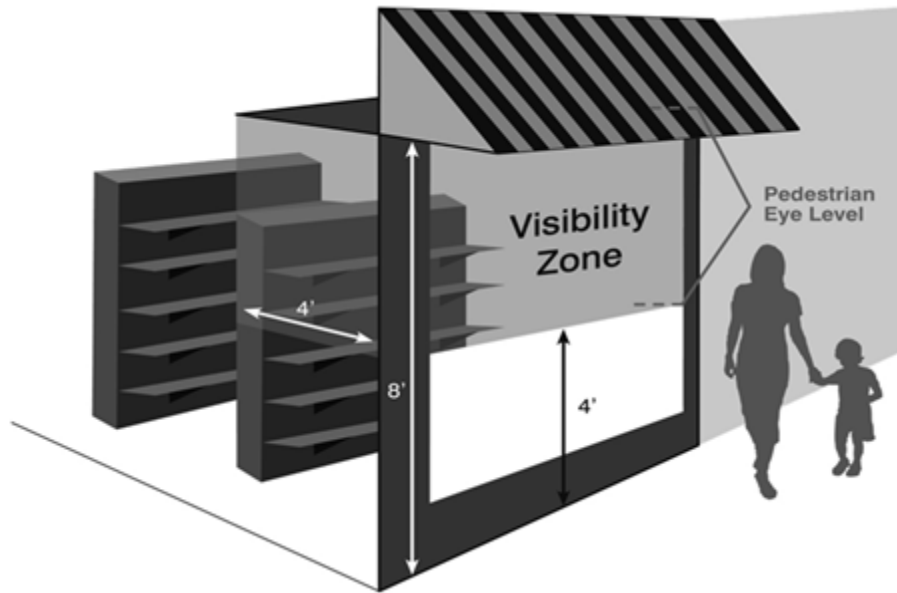
15 _____ (A) The portion of the frontage with active uses must be fenestrated with
16 transparent windows and doorways for no less than 60% of the area of the ground level façade
17 ~~street frontage at the ground level and allow visibility to the inside of the building; and~~

18 _____ (B) The fenestration required by subsection (c)(6)(A) must allow visibility to the
19 inside of the building that:

20 _____ (i) extends within four feet from the surface of the window glass;

21 _____ (ii) leaves at least 75% of the area inside the building open to
22 perpendicular view within a 4-foot by 4-foot visibility zone; and

1 (iii) provides the aforementioned visibility zone at pedestrian eye level,
2 defined as the space that is between four feet and eight feet in height above the adjacent sidewalk level,
3 following the slope if applicable. See figure, immediately below.



14 (C) Notwithstanding the transparency requirements of subsection (c)(6)(B), the
15 following features are permitted within the visibility zone:

16 (i) Individual products for sale or used in service and on display inside
17 the building; and

18 (ii) Window Signs and Interior Signs not exceeding one third the
19 area of the window on or in which the Signs are located, provided that such Signs are
20 permitted by the Planning Code; and

21 (iii) Interior curtains and blinds.

22 (D) The use of dark or mirrored glass shall not count towards the
23 required transparent area-~~transparent area~~visibility zone in this subsection (c)(6)(B).

1 (E) Buildings located inside of, or within an unobstructed line of less than
2 300 feet of an Urban Bird Refuge, as defined in Section 139(c)(1), shall follow glazing
3 requirements within Section 139(c) of this Code.

4 (F) In C-3 zoning districts, for tenant spaces with at least two frontages
5 ~~and active uses that are not PDR, those~~ frontages ~~may must be fenestrated with transparent windows~~
6 ~~and doorways for no less than 60% of the street frontage at the ground level or~~ contain window
7 displays of at least four feet in depth to allow visibility to the inside of the building or activate
8 the street instead of complying with the requirements of subsection (c)(6)(A)-(B).

9 * * * *

10 **(d) Exceptions.**

11 * * * *

12 (4) Exceptions to Transparency and Fenestration. The transparency and fenestration
13 requirements in Section 145.1(c)(6) shall not apply to a Production, Distribution, and Repair Use;
14 Child Care Facility; Homeless Shelter; Mortuary; Religious Institution; Reproductive Health Clinic;
15 School Use; and any Social or Health Service Use proposed on-site with either a Homeless Shelter or
16 an affordable housing project that meets the requirements of Section 315(b).

17
18 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

19 * * * *

20 **(e) Modifications.** Except as otherwise provided in subsection (f), Mmodifications to
21 the requirements of this Section 145.4 are not permitted in DTR Districts. In Neighborhood
22 Commercial and Commercial Districts, modifications to the requirements of this Section may
23 be granted through the Conditional Use process, as set forth in Section 303. In the Eastern
24 Neighborhoods Mixed Use Districts, modifications to the requirements of this Section may be
25 granted through the procedures of Section 329 for projects subject to that Section or through

an Administrative Modification from the Zoning Administrator for other projects, as set forth in Section 307(h)(1)(A).

(f) This Section 145.4 shall not apply to the following:

(1) Buildings in the RH-DTR District that are (i) designated landmark buildings or contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code, or (ii) listed on or determined eligible for the California Register of Historical Resources by the State Office of Historic Preservation; and

(2) C-3 Districts through December 31, 2030.

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

These Districts are intended to recognize, protect, conserve, and enhance areas characterized by structures combining Residential uses with neighborhood-serving Commercial uses. The predominant Residential uses are preserved, while provision is made for supporting Commercial uses, ~~usually in or below the ground story,~~ that meet the frequent needs of nearby residents without generating excessive vehicular traffic. The compact, walkable, transit-oriented and mixed-use nature of these Districts is recognized by no off-street parking requirements. The RC Districts are composed of two separate districts, as follows:

* * * *

Table 209.3

ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS

<i>Zoning Category</i>	<i>§ References</i>	<i>RC-3</i>	<i>RC-4</i>
* * * *			
<i>NON-RESIDENTIAL STANDARDS AND USES</i>			
* * * *			

Sales and Service Category			
Retail Sales and Service Uses*	§§ 102. 202.2(a)	P (4)	P (4)
* * * *			
Non-Retail Sales and Service*	§ 102	NP (14)	NP (14)
* * * *			

* Not listed below.

* * * *

(4) ~~C required if located on the second floor or above.~~[Reserved]

* * * *

(14) Catering and Laboratory are C on ground floor; all other Non-Retail Sales and Service Uses are NP on ground floor.

SEC. 210.2. C-3 DISTRICTS: DOWNTOWN COMMERCIAL.

* * * *

Table 210.2

ZONING CONTROL TABLE FOR C-3 DISTRICTS

Zoning Category	§ References	C-3- O	C-3- O(SD)	C-3- R	C-3- G	C-3- S
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
* * * *						
Sales and Service Category						
* * * *						

1	Non-Retail Sales and	§ 102	P(1)	P(1)	P(1)	P(1)	P(1)
2	Service*						
3	Catering	§ 102	P	P	P	P	P
4	Design Professional	§ 102	P	P	P(1)	P	P
5	Laboratory	§ 102	P	P	P	P	P
6	Life Science	§ 102	P	P	P	P	P
7	Storage, Commercial	§ 102	NP	NP	NP	NP	NP
8	Storage, Wholesale	§ 102	NP	NP	NP	NP	P
9	Wholesale Sales	§ 102	P	P	P	P	P
10	* * * *						

* Not listed below.

(1) C required ~~if at or below on~~ the ground floor after December 31, 2030.

* * * *

SEC. 249.78. CENTRAL SOMA SPECIAL USE DISTRICT.

* * * *

(c) Land Use Controls.

(1) **Active Uses.** The controls of Section 145.1 and 145.4 shall apply, except as specified below:

* * * *

(F) Notwithstanding the ~~PDR~~ exemption_s found in Section 145.1~~(c)(6)(d)(4)~~, PDR uses shall meet the following transparency and fenestration requirements:

* * * *

1 **SEC. 401. DEFINITIONS.**

2 * * * *

3 **C**

4 “Change of Use.” A change from one land use to another land use. For purposes of calculating
5 any impact fees, credits, or waivers under Article 4, if the Gross Floor Area to be changed has no
6 legally established use, the change of use shall consider the last legal use.

7 “Child-care provider.” A provider as defined in California Health and Safety Code
8 Section 1596.791.

9 * * * *

10 **R**

11 * * * *

12 “Replacement of use.” The total amount of Gross Floor Area, as defined in Section 102
13 of this Code, to be demolished and reconstructed by a development project. For purposes of
14 calculating any impact fees, credits, or waivers under Article 4, if the Gross Floor Area to be
15 demolished has no legally established use, the replacement of use shall consider the last legal use.

16 * * * *

17
18 **SEC. 406. WAIVER, REDUCTION, OR ADJUSTMENT OF DEVELOPMENT**
19 **PROJECT REQUIREMENTS.**

20 * * * *

21 (j) **Waiver for Certain Non-Residential to Residential Conversion and Replacement**
22 **Projects.** This subsection 406(j) provides eligible Non-Residential or Production, Distribution,
23 and Repair (PDR) to Residential conversion and replacement projects with a waiver of any
24 Development fee or Development impact requirement imposed by this Article 4, as specified
25 in this subsection.

1 (1) **Eligible Projects.** To be eligible for the waiver, a project must replace
2 Gross Floor Area of existing PDR uses or Non-Residential uses, other than a Hotel use, with
3 Gross Floor Area established as Residential use, whether as part of a change of use of
4 existing Gross Floor Area, or through the demolition of Non-Residential Gross Floor Area and
5 construction of new Gross Floor Area for Residential use. For purposes of this subsection
6 406(j), any Gross Floor Area established as Live/Work use shall be considered as Residential
7 use. Projects must be located in a C-3 district, or a C-2 district east of or fronting Franklin
8 Street/13th Street and north of Townsend Street.

9 (2) **Waiver Amount.** Eligible projects shall be entitled to a waiver from any
10 applicable Development fee or Development impact requirement imposed by this Article 4 on
11 any net new Gross Floor Area of Residential use in an amount up to 110% of the Gross Floor
12 Area of Non-Residential use or PDR use converted to Residential use. Converted Non-
13 Residential or PDR Gross Floor Area shall be calculated as the net reduction of Non-
14 Residential Gross Floor Area resulting from the project.

15 (3) **Calculation of Space.** In a mixed-use project with Residential and Non-
16 Residential or PDR uses, the Gross Floor Area of Residential use shall be calculated based on
17 the definition of Gross Floor Area in Planning Code Section 102, in the proportion that such
18 areas serve the Residential use to the total square feet of Gross Floor Area served by such
19 areas.

20 * * * *

21 (8) **Cap on the Total Square Footage Subject to a Development Fee**
22 **Waiver.** The waiver in this subsection 406(j) shall apply only to the first 7,000,000 square feet
23 of Gross Floor Area that replaces Gross Floor Area of existing PDR uses or Non-Residential
24 uses, other than a Hotel use, with Gross Floor Area established as Residential use associated
25 with Eligible Projects in the order that the projects receive a Final Approval. If an Eligible

1 Project does not receive a building or site permit within five years of the Final Approval, the
2 project shall forfeit any rights to the approved waiver, and any Gross Floor Area associated
3 with such project shall no longer be counted against the 7,000,000 square foot limit set forth in
4 this subsection 406(j)(8).

6 **SEC. 602. SIGN DEFINITIONS.**

7 * * * *

8 **Indirectly Illuminated Sign.** A Sign illuminated with a light directed primarily toward
9 such Sign and so shielded that no direct rays from the light are visible elsewhere than on the
10 lot where said illumination occurs. If not effectively so shielded, such sign shall be deemed to
11 be a Directly Illuminated Sign.

12 ~~**Interior Sign.** A Sign that is located in the interior of a building within four feet of any~~
13 ~~window or clear door through which the Sign is visible but not including a Window Sign.~~

14 * * * *

15 **Sign.** Any structure, part thereof, or device or inscription which is located upon,
16 attached to, or painted, projected, or represented on any land or right-of-way, or on the
17 outside of any building or structure including an Awning, Canopy, Marquee, or similar
18 appendage, or ~~affixed to~~ that touches the glass on the outside or inside of a window or other
19 glazing, so as to be seen from the outside of the building ~~clear door, or located inside a~~
20 ~~building within four feet of any window or clear door through which the Sign is visible~~ so as to be
21 seen from the outside of the building, and which displays or includes any numeral, letter, word,
22 model, banner, emblem, insignia, symbol, device, light, trademark, or other representation
23 used as, or in the nature of, an announcement, advertisement, attention-arrester, direction,
24 warning, or designation by or of any person, firm, group, organization, place, commodity,
25 product, service, business, profession, enterprise, or industry.

1 A "Sign" is composed of those elements included in the Area of the Sign as defined in
2 this Section 602, and in addition the supports, uprights, and framework of the display. Except
3 in the case of General Advertising Signs, two or more faces shall be deemed to be a single
4 Sign if such faces are contiguous on the same plane, or are placed back to back to form a
5 single structure and are at no point more than two feet from one another. Also, on Awnings or
6 Marquees, two or more faces shall be deemed to be a single Sign if such faces are on the
7 same Awning or Marquee structure.

8 * * * *

9 **Window Sign.** A Sign ~~located that touches only the inside or outside directly on~~
10 ~~the surface of a window glass or clear door or other glazing, so as to be seen from the outside of~~
11 ~~a building, or placed behind the surface of a window glass or clear door.~~

13 **SEC. 604. PERMITS AND CONFORMITY REQUIRED.**

14 * * * *

15 (b) **Applicability of Section.** The provisions of this Section 604 shall apply to work of
16 the above types on all ~~s~~Signs unless specifically exempted by this Code, whether or not a
17 permit for such ~~s~~Sign is required under the San Francisco Building Code. In cases in which
18 permits are not required under the Building Code, a Planning application shall be submitted to the
19 Planning Department for approval. ~~applications for permits shall be filed with the Central Permit~~
20 ~~Bureau of the Department of Building Inspection on forms prescribed by the Planning Department,~~
21 ~~together with a permit fee of \$5.00 for each sign, and the permit number shall appear on the completed~~
22 ~~sign in the same manner as required by the Building Code.~~

23 (c) **Exceptions to Permit and Planning Approval Requirements.** No permit or Planning
24 approval that would otherwise be required by this Article 6 shall be required for the Signs in
25 this subsection (c) to the extent such Signs are permitted by this Code.

1 (1) Business or Identifying Sign Painted on Door, or Window, or Building
2 ~~Façade. No permit shall be required under this Code for a Business or Identifying sSign~~
3 ~~painted or repainted directly on a door, or window, or façade of a building, except for such~~
4 ~~sSigns in P and Residential Districts. Repainting of any painted Business or Identifying sSign~~
5 ~~that does require a permit shall be deemed to be a replacement of the Business or Identifying~~
6 ~~sSign, except as provided in Ssubsection (fc)(5) below. Wall and Window Signs applied on a~~
7 ~~door, window, or any façade of a building, except for:~~

- 8 (A) Signs located in Public and Residential Districts;
9 (B) Signs that would otherwise require review and approval under Articles
10 10 and 11;
11 (C) Signs that require a building permit; or
12 (D) General Advertising Signs.

13 ~~———(2) Interior Sign. No permit shall be required under this Code for an interior~~
14 ~~business or identifying sign measuring six square feet or less.~~

15 ~~(#32) Ordinary Maintenance and Repairs. Except as provided in Ssubsection~~
16 ~~(e)(1) above, no permit shall be required under this Code for oOrdinary maintenance and~~
17 ~~minor repairs which do not involve replacement, alteration, reconstruction, relocation,~~
18 ~~intensification, or expansion of the sSign.~~

19 ~~(#43) Temporary Sale or Lease Signs. No permit shall be required under this~~
20 ~~Code for tTemporary sale or lease sSigns, temporary sSigns of persons and firms connected~~
21 ~~with work on buildings under actual construction or alteration, and temporary Business sSigns,~~
22 ~~to the extent that such sSigns are permitted by this Code.~~

23 ~~(#54) Change of Copy. No permit shall be required under this Code for aA mere~~
24 ~~eChange of copy on a sSign the customary use of which involves frequent and periodic~~

1 ~~changes of copy shall not be subject to the provisions of this Section 604, provided that the change~~
2 ~~in copy does not:~~

3 ~~_____ (A) require a building permit;~~

4 ~~_____ (B) except that constitute a change from general advertising to~~
5 ~~nongeneral advertising sign copy or from nongeneral advertising to general advertising sign~~
6 ~~copy; or~~

7 ~~_____ (C) an increase in the Area, Height, Illumination, or Projection, excluding~~
8 ~~any changes to Area, Height, Illumination, or Projection that affect only the copy on the Sign,~~
9 ~~including, but not limited to, any extensions in the form of writing, representation, emblem or~~
10 ~~any figure of similar character shall in itself constitute a new sSign subject to the provisions of~~
11 ~~this Section 604. In the case of sSigns the customary use of which does not involve frequent~~
12 ~~and periodic changes of copy, and except as provided in subsection (mj), below, a change of~~
13 ~~copy shall in itself constitute a new sSign subject to the provisions of this Section 604 if the~~
14 ~~new copy concerns a different person, firm, group, organization, place, commodity, product,~~
15 ~~service, business, profession, enterprise, or industry.~~

16 ~~(gd)~~ **Scaled Drawing.** Each application for a permit for a sSign shall be accompanied
17 by a scaled drawing of the sSign, including the location of the sSign on the building or other
18 structure or on the lot, and including (except in the case of a sSign the customary use of which
19 involves frequent and periodic changes of copy) such designation of the copy as is needed to
20 determine that the location, ~~Area~~, and other provisions of this Code are met.

21 ~~(he)~~ **Nonconforming Signs; Replacement, Alteration, Reconstruction,**
22 **Relocation, Intensification, or Expansion.** Unless otherwise provided in this Code or in
23 other Codes or regulations, a lawfully existing sSign which fails to conform to the provisions of
24 this Article 6 shall be brought into conformity when the activity for which the sSign has been
25 posted ceases operation or moves to another location, when a new building is constructed, or

1 at the end of the sSign's normal life. Such sSign may not, however, be replaced, altered,
2 reconstructed, relocated, intensified, or expanded in aArea or in any dimension except in
3 conformity with the provisions of this Code, including subsection (if) below. Ordinary
4 maintenance and minor repairs shall be permitted, but such maintenance and repairs shall not
5 include replacement, alteration, reconstruction, relocation, intensification, or expansion of the
6 sSign; provided, however, that alterations of a structural nature required to reinforce a part or
7 parts of a lawfully existing sSign to meet the standards of seismic loads and forces of the
8 Building Code, to replace a damaged or weathered signboard, to ensure safe use and
9 maintenance of that sSign, to remediate hazardous materials, or any combination of the above
10 alterations shall be considered ordinary maintenance and shall be allowed. A sSign which is
11 damaged or destroyed by fire or other calamity shall be governed by the provisions of
12 Sections 181(d) and 188(b) of this Code.

13 A sSign which is voluntarily destroyed or removed by its owner or which is required by
14 law to be removed may be restored only in full conformity with the provisions of this Code,
15 except as authorized in subsection (if) below. A gGeneral aAdvertising sSign that has been
16 removed shall not be reinstalled, replaced, or reconstructed at the same location, and the
17 erection, construction, and/or installation of a gGeneral aAdvertising sSign at that location to
18 replace the previously existing sSign shall be deemed to be a new sSign in violation of Section
19 611(a) of this Code; provided, however, that such reinstallation, replacement, or
20 reconstruction pursuant to a permit duly issued prior to the effective date of this requirement
21 shall not be deemed a violation of Section 611(a) and shall be considered a lawfully existing
22 nonconforming gGeneral aAdvertising sSign; and further provided that this prohibition shall not
23 prevent a gGeneral aAdvertising sSign from being relocated to that location pursuant to a
24 Relocation Agreement and conditional use authorization under Sections 611 and 303(k) of
25 this Code and Section 2.21 of the Administrative Code.

1 A nonconforming Neon Sign may be physically detached from the building for any
2 required repairs or maintenance, except that such maintenance or repairs shall not include
3 replacement, reconstruction, relocation, intensification, or expansion of the Neon Sign. After
4 the off-site repair or maintenance work is complete, the Neon Sign may be reinstalled at the
5 premises in the same location where the Neon Sign was previously affixed, so long as such
6 replacement is completed within 18 months of removal.

7 (~~if~~) **Business Signs.** When the activity for which a ~~h~~Business ~~s~~Sign has been posted
8 has ceased operation for more than 90 days, all ~~s~~Signs pertaining to that business activity
9 shall be removed after that time. A lawfully existing business that is relocating to a new
10 location within 300 feet of its existing location within the North Beach Neighborhood
11 Commercial District described in Section 722 of this Code may move to the new location
12 within said North Beach Neighborhood Commercial District one existing ~~h~~Business ~~s~~Sign
13 together with its associated sign structure, whether or not the ~~s~~Sign is nonconforming in its
14 new location; provided, however, that the ~~s~~Sign is not intensified or expanded in ~~a~~Area or in
15 any dimension except in conformity with the provisions of this Code. With the approval of the
16 Zoning Administrator, however, the sign structure may be modified to the extent mandated by
17 the Building Code. In no event may a painted ~~s~~Sign or a ~~s~~Sign with flashing, blinking,
18 fluctuating, or other animated light be relocated unless in conformity with current code
19 requirements applicable to its new location. In addition, the provisions of Articles 10 and 11 of
20 this Code shall apply to the relocation of any ~~s~~Sign to a location regulated by the provisions of
21 said Articles.

22 (~~j~~g) Nothing in this Article 6 shall be deemed to permit any use of property that is
23 otherwise prohibited by this Code, or to permit any ~~s~~Sign that is prohibited by the regulations
24 of any ~~s~~Special ~~s~~Sign ~~d~~District or the standards or procedures of any Redevelopment Plan or
25 any other Code or legal restriction.

1 (h) **Public Areas.** No sSign shall be placed upon any public street, alley, sidewalk,
2 public plaza or right-of-way, or in any portion of a transit system, except such projecting sSigns
3 as are otherwise permitted by this Code and sSigns, structures, and features as are
4 specifically approved by the appropriate public authorities under applicable laws and
5 regulations and under such conditions as may be imposed by such authorities.

6 (i) **Maintenance.** Every sSign shall be adequately maintained in its appearance.
7 When the activity for which a bBusiness sSign has been posted has ceased operation for more
8 than 90 days, all sSigns pertaining to that business activity shall be removed after that time.

9 ~~(mj) **Existing Signs in the C-3 Zoning District and portions of the C-2 Zoning**~~
10 ~~**District.** A change of copy on existing sSigns the customary use of which does not involve~~
11 ~~frequent and periodic changes of copy within (1) the C-3 zoning district, (2) a C-2 zoning~~
12 ~~district that is east of or fronting Franklin Street/13th Street and north of Townsend Street, or~~
13 ~~(3) a C-2 zoning district that is also within the Stonestown SSD shall not be considered a new~~
14 ~~sSign for purposes of subsection (fc)(5) so long as a permit is sought and approved subject to~~
15 ~~the provisions of this Section 604 or a more restrictive provision in a sSpecial sSign dDistrict~~
16 ~~in Section 608 et seq., provided that a change from general advertising to nongeneral~~
17 ~~advertising sign copy or from nongeneral advertising to general advertising sign copy or an~~
18 ~~increase in aArea including, but not limited to, any extensions in the form of writing,~~
19 ~~representation, emblem or any figure of similar character shall in itself constitute a new sSign~~
20 ~~subject to the provisions of this Section 604. Consistent with Section 608, this provision shall~~
21 ~~control over any conflicting, more restrictive provision in a sSpecial sSign dDistrict.~~

22 23 **SEC. 606. RESIDENTIAL AND RESIDENTIAL ENCLAVE DISTRICTS.**

24 Signs in Residential and Residential Enclave Districts, other than those sSigns
25 exempted by Section 603 of this Code, shall conform to the following provisions:

1 * * * *

2 (c) **Business Signs for Limited Commercial Uses.** For Limited Commercial Uses,
3 as described in Section 186 of this Code, and for Limited Corner Commercial Uses, as
4 permitted by Section 231, the following controls shall apply:

5 * * * *

6 (2) **Window and Interior Signs.** Window ~~s~~Signs, ~~limited to sSigns painted or~~
7 ~~similarly applied directly on the surface of the window glass or clear door, and Interior Signs~~
8 are permitted. The total ~~a~~Area of all ~~w~~Window ~~s~~Signs, ~~as defined in Section 602.1(b),~~ shall not
9 exceed one-quarter~~third~~ the total area of the business's ground floor windows and clear doors.
10 ~~the window or door on which the sSigns are located. The total Area of all Interior Signs shall~~
11 ~~not exceed one-quarter the area of the window or clear door through which the Interior Sign is~~
12 ~~visible, whichever is greater. Such Window and Interior sSigns may be ~~#~~Nonilluminated or~~
13 ~~i~~Indirectly ~~i~~lluminated.

14 * * * *

15
16 **SEC. 607. COMMERCIAL AND INDUSTRIAL DISTRICTS.**

17 Signs in C, M, and PDR Districts, other than those Signs exempted by Section 603 of
18 this Code, shall conform to the following provisions:

19 * * * *

20 (d) **Window and Interior Signs.** The total Area of all Window Signs shall not exceed
21 one-third the total area of the business's ground floor windows and clear doors. ~~window or~~
22 ~~clear door on or in which the Signs are located. The total Area of all Interior Signs shall not~~
23 ~~exceed one-third the area of the window or clear door through which the Interior Sign is~~
24 ~~visible, whichever is greater. Such Window and Interior Signs may be Nonilluminated, Indirectly~~
25 ~~lluminated, or Directly Illuminated.~~

1 * * * *

2
3 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**
4 **DISTRICTS.**

5 Signs located in Neighborhood Commercial Districts shall be regulated as provided
6 herein, except for those ~~s~~Signs which are exempted by Section 603 of this Code or as more
7 specifically regulated in a Special Sign District under Sections 608 et seq. In the event of
8 conflict between the provisions of Section 607.1 and other provisions of Article 6, the
9 provisions of Section 607.1 shall prevail in Neighborhood Commercial and Residential-
10 Commercial Districts.

11 In each such Special Sign District, ~~s~~Signs, other than those ~~s~~Signs exempted by Section
12 603 of this Code, shall be subject to the special controls in Sections 608.1 through 608.~~4618~~,
13 respectively, in addition to all other or, if so expressly specified in those Sections, in lieu of
14 other applicable sign provisions of this Code. In the event of inconsistency with any other
15 provision of Article 6, the most restrictive provision shall prevail unless this Code specifically
16 provides otherwise.

17 * * * *

18 (c) **Identifying Signs.** Identifying Signs, as defined in Section 602, shall be permitted
19 in all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set
20 forth below.

21 (1) One Sign per lot shall be permitted and such Sign shall not exceed 20
22 square feet in area. The sign may be a Freestanding ~~s~~Sign, if the building is recessed from the
23 Street Property Line, or may be a Wall Sign or a projecting Sign. The existence of a
24 Freestanding Identifying Sign shall preclude the erection of a Freestanding Business Sign on
25 the same lot. A Wall Sign or projecting Sign shall be mounted on the first-story level; a

Freestanding Sign shall not exceed 15 feet in height. Such Sign may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.

* * * *

(f) **Business Signs.** Business Signs, as defined in Section 602, shall be permitted in all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set forth below.

(1) **Cole Valley, Lakeside Village, NC-1 and NCT-1 Districts.**

(A) **Window and Interior Signs.** The total Area of all Window Signs, as defined in Section 602, shall not exceed one-third the total area of the business's ground floor windows and clear doors window or clear door on or in which the Signs are located. The total Area of all Interior Signs shall not exceed one-third the area of the window or clear door through which the Interior Sign is visible, whichever is greater. ~~Such Window~~ and Interior Signs may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.

* * * *

(2) **RC, NC-2, NCT-2, NC-S, Inner Balboa Street, Outer Balboa Street, Broadway, Castro Street, Inner Clement Street, Outer Clement Street, Cortland Avenue, Divisadero Street, Excelsior Outer Mission Street, Fillmore Street, Upper Fillmore Street, Folsom Street, Glen Park, Inner Sunset, Irving Street, Haight Street, Lower Haight Street, Hayes-Gough, Japantown, Judah Street, Leland Avenue, Upper Market Street, Noriega Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street, Regional Commercial District, Sacramento Street, San Bruno Avenue, SoMa, Taraval Street, Inner Taraval Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley, and West Portal Avenue Neighborhood Commercial Districts.**

(A) **Window and Interior Signs.** The total Area of all Window Signs, as defined in Section 602, shall not exceed one-third the total area of the business's ground floor

1 ~~windows and clear doors. window or clear door on or in which the Signs are located. The total~~
2 ~~Area of all Interior Signs shall not exceed one-third the area of the window or clear door~~
3 ~~through which the Interior Sign is visible, whichever is greater. *Such Window* and Interior Signs~~
4 ~~may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.~~

5 * * * *

6 (3) **Bayview, Geary Boulevard, Mission Bernal, Mission Street, Lower Polk**
7 **Street, NCT, NC-3, and NCT-3 Neighborhood Commercial Districts.**

8 (A) **Window and Interior Signs.** The total Area of all Window Signs, as
9 ~~defined in Section 602,~~ shall not exceed one-third the total area of the business's ground floor
10 ~~windows and clear doors. window or clear door on or in which the Signs are located. The total~~
11 ~~Area of all Interior Signs shall not exceed one-third the area of the window or clear door~~
12 ~~through which the Interior Sign is visible, whichever is greater. *Such Window* and Interior Signs~~
13 ~~may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.~~

14 * * * *

15
16 **SEC. 607.2. MIXED USE DISTRICTS.**

17 Signs located in Mixed Use Districts shall be regulated as provided herein, except for
18 ~~s~~Signs in Residential Enclave Districts, which are regulated by Section 606, and those ~~s~~Signs
19 which are exempted by Section 603. ~~s~~Signs not specifically regulated in this Section 607.2
20 shall be prohibited. In the event of conflict between the provisions of Section 607.2 and other
21 provisions of Article 6, the provisions of Section 607.2 shall prevail in Mixed Use Districts.

22 * * * *

23 (f) **Business Signs.** Business Signs, as defined in Section 602, shall be permitted in
24 all Mixed Use Districts subject to the limits set forth below.

25 (1) **Chinatown Residential Neighborhood Commercial District.**

1 (A) **Window and Interior Signs.** The total Area of all Window Signs, as
2 defined in Section 602, shall not exceed one-third the total area of the business's ground floor
3 windows and clear doors. window or clear door on or in which the Signs are located. The total
4 Area of all Interior Signs shall not exceed one-third the area of the window or clear door
5 through which the Interior Sign is visible, whichever is greater. *Such Window* and Interior Signs
6 may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.

7 * * * *

8 (2) **Chinatown Visitor Retail District.**

9 (A) **Window and Interior Signs.** The total Area of all Window Signs, as
10 defined in Section 602, shall not exceed one-third the total area of the business's ground floor
11 windows and clear doors. window or clear door on or in which the Signs are located. The total
12 Area of all Interior Signs shall not exceed one-third the area of the window or clear door
13 through which the Interior Sign is visible, whichever is greater. *Such Window* and Interior Signs
14 may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.

15 * * * *

16 (3) **Chinatown Community Business District, Eastern Neighborhoods,**
17 **South of Market Mixed Use ~~Mixed Use~~ Districts, and the Downtown Residential Districts.**

18 (A) **Window and Interior Signs.** The total Area of all Window Signs, as
19 defined in Section 602, shall not exceed one-third the total area of the business's ground floor
20 windows and clear doors. window or clear door on or in which the Signs are located. The total
21 Area of all Interior Signs shall not exceed one-third the area of the window or clear door
22 through which the Interior Sign is visible, whichever is greater. *Such Window* and Interior Signs
23 may be Nonilluminated, Indirectly Illuminated, or Directly Illuminated.

24 * * * *

1 **SEC. 608.14. VINTAGE SIGNS.**

2 (a) **Restoration and Maintenance.** Notwithstanding the provisions of Section 604(~~he~~)
3 of this Code, sSigns which depict in text or graphic form a particular residential, business,
4 cultural, economic, recreational, or other valued resource which is deemed by the Planning
5 Commission to be a cultural artifact that contributes to the visual identity and historic character
6 of a City neighborhood or the City as a whole shall be considered a vIntage sSign and
7 allowed to be restored, reconstructed, maintained, and technologically improved on a property
8 by Conditional Use authorization of the Planning Commission provided that: (~~1a~~) the vIntage
9 sSign to be restored, reconstructed, or technologically improved depicts a use, person, place,
10 thing, cultural icon, or other valued character or characteristics of the City or a City
11 neighborhood that, at the time of the vIntage sSign authorization, is at least 40 years old; (~~2b~~)
12 at least 50% ~~percent~~ of the ~~a~~Area of the sSign remains legible, (~~3e~~) the sSign does not visually
13 obstruct or significantly impair or detract from, by glare or any other means, a City landmark or
14 public vista; (~~4d~~) the sSign is not larger than the sSign that existed prior to the vIntage sSign
15 authorization and does not appear to be more visually prominent than the sSign that existed
16 prior to the vIntage sSign authorization; and (~~5e~~) the sSign is maintained in good condition,
17 repair, and working order. Designation as a vIntage sSign under this Section 608.14 does not
18 by itself protect the sSign from being obscured or removed by future development projects.

19 * * * *

20
21 **SEC. 803.9. COMMERCIAL USES IN ~~EASTERN NEIGHBORHOODS~~ MIXED USE**
22 **DISTRICTS.**

23 * * * *

24 (b) **Preservation of Historic Buildings within Certain ~~Eastern Neighborhoods~~**
25 **Mixed Use Districts.** The following controls are intended to support the economic viability of

1 buildings of historic importance within certain Mixed Use Districts ~~within Eastern~~
2 ~~Neighborhoods~~.

3 * * * *

4 (4) **RH-DTR Districts.** This subsection (b)(4) applies only to buildings in RH-
5 DTR Districts that are designated landmark buildings or contributory buildings within a
6 designated historic district pursuant to Article 10 of the Planning Code, or buildings listed on
7 or determined eligible for the California Register of Historical Resources by the State Office of
8 Historic Preservation.

9 (A) All uses are principally permitted, provided that prior to the issuance
10 of any necessary permits, the Zoning Administrator, with the advice of the Historic
11 Preservation Commission, determines that allowing the use will enhance the feasibility of
12 preserving the building.

13 (B) The Historic Preservation Commission shall review the proposed
14 project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001))
15 and any applicable provisions of the Planning Code.

16 * * * *

17
18 Section 4. Effective Date. This ordinance shall become effective 30 days after
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
21 of Supervisors overrides the Mayor's veto of the ordinance.

22
23 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

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

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Giulia Gualco-Nelson
GIULIA GUALCO-NELSON
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST
(Amended in Committee – June 30, 2025)

[Planning Code - Fenestration, Transparency, and Sign Requirements Generally; Sales and Service Uses in the C-3 and RC Districts]

Ordinance amending the Planning Code to 1) principally permit certain non-retail sales and service uses, including general office, design professional, business services, non-retail professional services, and trade offices, on the ground floor in the C-3 (“Downtown Commercial”) Districts through December 31, 2030, after which such uses will be conditionally permitted, and make accompanying revisions to required ground floor uses and Floor Area Ratio; 2) principally permit retail sales and service uses on the second floor and above in the RC (“Residential-Commercial”) Districts; 3) principally permit non-retail sales and service uses on the second floor and above, and conditionally permit catering and laboratory uses on the ground floor in the RC Districts; 4) update transparency and fenestration requirements for ground floor active uses and exempt child care facilities, homeless shelters, mortuaries, religious institutions, reproductive health clinics, and school uses from those requirements; 5) modify the definition of a Window Sign; 6) modify Planning review and approval of changes in copy of a Sign and Wall and Window Signs applied to doors, windows, or building facades; 7) modify the definition of a Non-Residential Use for the purposes of certain development impact fee waivers; and 8) modify permitted and required ground floor uses in the RH-DTR (“Rincon Hill Downtown Residential”) District, including uses in certain historic buildings, subject to various conditions; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Existing Law

A Retail Sales and Service Use involves the sale of goods or services directly to the ultimate consumer. A Non-Retail Sales and Service Use involves the sale of goods or services to other businesses rather than the end user. (Planning Code § 102.)

In the C-3 (Downtown Commercial) Districts, certain non-retail sales and service uses are principally permitted on the ground floor, including catering, design professional, laboratory, and life science. Other non-retail sales and service uses are conditionally permitted on the ground floor, including office, business services, and trade offices. (Planning Code § 210.2.) Floor Area Ratio (“FAR”) limits also apply in the C-3 Districts. (*Id.* § 124.)

In the RC (Residential Commercial) Districts, certain retail sales and service uses, including animal hospitals, bars, restaurants, general retail sales, and health services, are conditionally

permitted on the second floor and above. Non-retail sales and service uses are not permitted in the RC Districts, except for Design Professional uses. (Planning Code § 209.3.)

The Planning Code imposes transparency and fenestration requirements in Neighborhood Commercial, Residential Commercial, Commercial, and Mixed Use Districts. (Planning Code § 145.1(c)(6).) Currently, PDR uses are exempt from these requirements. (*Ibid.*)

The Planning Code also imposes active ground use requirements in certain districts, including in portions of the RH-DTR (Rincon Hill Downtown Residential Mixed Use) District and the C-3 Districts. (Planning Code § 145.4.) Additional ground-floor retail requirements apply in the RH-DTR. (*Id.* § 827(a)(2).)

Currently, in the Eastern Neighborhoods Mixed Use Districts, all uses are principally permitted in certain historic buildings, subject to review by the Historic Preservation Commission. (Planning Code § 803.9.)

Article 4 of the Planning Code governs development impact fees and requirements. Section 406 provides for a waiver of development impact fees and requirements for Non-Residential uses (other than a hotel use) that will be converted into a residential use, subject to certain eligibility conditions. (Planning Code § 406(j).) Production, Distribution, and Repair (PDR) Uses are not classified as Non-Residential Uses. (See *id.* §102.)

Article 6 of the Planning Code governs signs throughout the City. A Sign is defined as “Any structure, part thereof, or device or inscription which is located upon, attached to, or painted, projected, or represented on any land or right-of-way, or on the outside of any building or structure including an Awning, Canopy, Marquee, or similar appendage, or affixed to the glass on the outside or inside of a window. . . .” (Planning Code § 602.) Permits are required for Signs regulated under Article 6, except for certain types of Signs set forth in Section 604, including Business and Identifying Signs painted on windows or doors.

Amendments to Current Law

C-3 Districts

This ordinance amends the Planning Code to:

- principally permit certain non-retail sales and service uses on the ground floor in the C-3 Districts, including office, business services, and trade offices, through December 31, 2030. After December 31, 2030, such uses will be conditionally authorized;
- exempt from FAR requirements any new Gross Floor Area created in a C-3 District through a change of use on the ground floor (§ 124); and
- exempt C-3 Districts from ground floor active use requirements through December 31, 2030 (§ 145.4).

RC Districts

This ordinance amends the Planning Code to:

- principally permit certain retail sales and service uses, including animal hospitals, bars, restaurants, general retail sales, and health services, on the second floor and above in RC Districts;
- principally permit non-retail sales and service uses at the second floor and above in RC Districts; and
- conditionally permit laboratory and catering uses on the ground floor in RC Districts.

RH-DTR Districts

This ordinance amends the Planning Code to:

- principally permit in the RH-DTR District all uses in designated landmark or contributory buildings within an Article 10 District, or buildings listed on or eligible for the California Register of Historical Resources, subject to review by the Zoning Administrator and the Historic Preservation Commission (§ 803.9); and
- exempt the foregoing buildings in RH-DTR Districts from ground floor active use requirements (§ 145.4).

Transparency and Fenestration

This ordinance also codifies a Zoning Administrator Interpretation defining fenestration and visibility requirements for frontages with active uses in Neighborhood Commercial, Residential-Commercial, and Mixed Use Districts. (Planning Code Section 145.1(c)(6).) This ordinance also exempts the following uses from these transparency and fenestration requirements: Child Care Facility; Homeless Shelter; Mortuary; Religious Institution; Reproductive Health Clinic; School Use; and any Social or Health Service Use proposed on-site with either a Homeless Shelter or an affordable housing project that meets the requirements of Planning Code Section 315(b). This ordinance amends the Central SOMA Special Use District (§ 249.78) to clarify cross-references to the transparency and fenestration exemptions.

Impact Fees

This ordinance amends Planning Code Section 406(j) to define a replacement of use for the purpose of calculating impact fees and make existing PDR uses eligible for the residential conversion development impact fee and requirements waiver.

Signs

The ordinance also amends Article 6 of the Planning Code to:

- narrow the definition of a Window Sign to one that touches the glass on the inside or outside of a building and make associated revisions to the definition of a Sign;
- clarify that Signs listed under Section 604(c) do not require a permit or Planning approval to the extent such Signs are permitted by the Code;
- expand the existing exception for painted Signs to any Wall or Window Sign that: (i) is not located in a Public or Residential District; (ii) does not otherwise require review and

approval under Articles 10 and 11; (iii) does not require a building permit; and (iv) is not a General Advertising Sign;

- expand the existing change in copy exception to all changes of copy that do not (i) require a Building Permit; (ii) constitute a change from a General Advertising Sign; (iii) increase the Area, Height, Illumination, or Projection of a Sign, excluding any changes that affect only the copy of the Sign;
- delete the existing change in copy exceptions for the C-3 Districts and portions of the C-2 District, which are now unnecessary due to the expansion of the Citywide change in copy exception;
- make the allowable area of a Window Sign a function of the total area of a business's windows and clear doors; and
- increase the allowable area of a Window Sign in Residential Districts to one-third the area of the total area of a business's windows and clear doors.

Background Information

This ordinance contains findings detailing the need for a fast, predictable, and transparent permitting process, which will create new jobs, businesses, and homes, as well as facilitate the City's economic recovery from the COVID-19 pandemic by removing barriers to active streetscapes in the City's downtown neighborhoods.

This ordinance incorporates amendments made at the June 30, 2025 meeting of the Land Use and Transportation Committee. Those amendments:

- C-3 Districts
 - exempt from FAR requirements any new Gross Floor Area created in a C-3 District through a change of use on the ground floor (§ 124); and
 - exempt C-3 Districts from ground floor active use requirements through December 31, 2030 (§ 145.4).
- RC Districts
 - conditionally permit laboratory and catering uses on the ground floor in RC Districts.
- RH-DTR Districts
 - principally permit in the RH-DTR District all uses in designated landmark or contributory buildings within an Article 10 District, or buildings listed on or eligible for the California Register of Historical Resources, subject to review by the Zoning Administrator and the Historic Preservation Commission (§ 803.9); and
 - exempt the foregoing buildings in RH-DTR Districts from ground floor active use requirements (§ 145.4).
- Transparency and Fenestration
 - make clarifying edits to transparency and fenestration requirements and delete references to Window and Interior Signs.
- Signs

- delete references to Interior Signs in the original ordinance and instead narrowed the definition of a Window Sign to one that only touches the glass of a building so as to be seen from the outside;
- clarify that no permit or Planning review is required for signs listed in Section 604(c)
- expand the existing change in copy and painted sign exceptions; and
- expand the allowable area of Window Signs.

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