

[Planning Code - Adaptive Reuse of Historic Buildings]

Ordinance amending the Planning Code to allow additional uses as principally or conditionally permitted in Historic Buildings citywide, exempt Historic Buildings in certain Eastern Neighborhood Plan Areas from Conditional Use authorization otherwise required to remove Production, Distribution, and Repair (PDR), Institutional Community, and Arts Activities uses, and from providing replacement space for such uses, make conforming amendments to provisions affected by the foregoing, including zoning control tables; 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 general welfare under Planning Code, Section 302.

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

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

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

Section 2. Articles 1.2, 1.7, 2, 3, 7, and 8 of the Planning Code are hereby amended by adding Sections 202.11 and 205.8; revising Sections 136.1, 209.1, 209.2, 209.3, 209.4, 210.1, 210.2, 722, 757, 758, 803.3, 803.9, 825, and 830 through 840; and deleting Sections 186.3, 310, and 703.9, to read as follows:

SEC. 136.1. AWNINGS, CANOPIES AND MARQUEES.

In addition to the limitations of Section 136, especially ~~Paragraph~~ subsection 136(c)(12), the following provisions shall apply to all Districts.

In Residential and Residential Enclave Districts, awnings are permitted only for Limited Commercial Uses, as described in Section 186 of this Code, for Limited Commercial Uses permitted in ~~landmark~~ Historic ~~b~~ Buildings by Section ~~186.3~~ 202.11, and for Limited Corner

1 Commercial Uses as described in Section 231 of this Code. Canopies and marquees are not
2 permitted.

3 The addition or alteration of awnings, canopies, or marquees on a landmark site or in a
4 historic district shall require a certificate of appropriateness in accordance with Section 1006,
5 et seq. of this Code. Signage on awnings, canopies, and marquees may be further regulated
6 by Article 6 of this Code.

7 * * * *

8
9 **~~SEC. 186.3. NON-RESIDENTIAL USES IN LANDMARK BUILDINGS IN RH, RM, RTO,~~**
10 **~~AND RTO-M DISTRICTS.~~**

11 ~~Any use listed as a Principal or Conditional Use permitted on the ground floor in an NC-1~~
12 ~~District, when located in a structure on a landmark site designated pursuant to Article 10 of this Code,~~
13 ~~is permitted with Conditional Use authorization pursuant to Section 303 of this Code, provided that no~~
14 ~~Conditional Use shall be authorized under this provision unless (1) such authorization conforms to the~~
15 ~~applicable provisions of Section 303 of this Code, and (2) the specific use so authorized is essential to~~
16 ~~the feasibility of retaining and preserving the landmark.~~

17
18 **SEC. 202.11. PERMITTED USES IN HISTORIC BUILDINGS.**

19 (a) **Purpose.** The following controls are intended to support and encourage the preservation of
20 buildings of historic importance and support neighborhood vitality, by allowing more flexible uses of
21 Historic Buildings and therefore improving the economic feasibility of their adaptive reuse.

22 (b) **Applicability.** This Section 202.11 applies only to Historic Buildings as defined in Section
23 102. Nothing in this Section 202.11 affects review by the Historic Preservation Commission to the
24 extent required by Articles 10 or 11 of this Code or Charter Section 4.135.

1 (c) **Planning Approval.** This Section 202.11 applies only to projects that meet all of the criteria
2 set forth in this subsection (c).

3 (1) For Uses that are not permitted or are conditionally permitted in the District in
4 which they are located, prior to the issuance of any necessary permits, the project must obtain a
5 Planning Director determination that allowing the Use will enhance the feasibility of adaptive reuse of
6 the Historic Building.

7 (2) The project must obtain a Planning Department determination that the project
8 complies with the Secretary of the Interior's Standards (36 C.F.R. § 67.7 (2001)), and any applicable
9 provisions of the Planning Code.

10 (3) Any Residential Uses in the project shall comply with the Residential Inclusionary
11 Affordable Housing Program set forth in Sections 415 et seq., 415A et seq., and 415B et seq., as
12 applicable.

13 (4) Projects in Neighborhood Commercial Districts and Neighborhood Commercial
14 Transit Districts shall comply with Non-Residential Use Size limits pursuant to Section 121.2. In all
15 other districts, no Non-Residential Use Size limits shall apply.

16 (5) Temporary Uses may be authorized by the Planning Director pursuant to Section
17 205.8.

18 (6) All applicable conditions shall continue to apply, including but not limited to the
19 location and operating conditions set forth in Section 202.2.

20 (d) **Uses Permitted in Historic Buildings to Facilitate Preservation and Adaptive Reuse.**
21 Notwithstanding the zoning controls otherwise applicable in the District where the project is located,
22 and subject to subsections (b) and (c) of this Section 202.11, Uses in Historic Buildings shall be
23 permitted as follows:

24 (1) **Residential Districts.** In RH, RM, and RTO Districts, when located in a Historic
25 Building, any Use that is not permitted in the District and is listed as a Principal or Conditional Use on

1 the ground floor in the NC-1 District (for properties other than Historic Buildings), is permitted with
2 Conditional Use authorization pursuant to Section 303.

3 **(2) Eastern Neighborhoods Mixed Use Districts and Downtown Residential Districts:**

4 **(A) CMUO, MUG, MUO, MUR, SALI, SPD, UMU, WMUG, and WMUO**

5 **Districts and DTR Districts. All Uses shall be Principally Permitted in Historic Buildings, except**
6 **Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall**
7 **be Principally Permitted.**

8 **(B) RED and RED-MX Districts. Uses are permitted in Historic Buildings as**
9 **follows:**

10 **(i) Principally Permitted Uses. Arts Activities, Community Facility,**
11 **Private Community Facility, Public Facility, School, Social Service or Philanthropic Facility, and**
12 **Trade School Uses are Principally Permitted.**

13 **(ii) Conditionally Permitted Uses. Retail Sales and Services Uses and**
14 **Office Uses are Conditionally Permitted pursuant to Planning Code Section 303, except that the zoning**
15 **controls for Adult Business and Adult Sex Venue Uses as set forth in the controls for the District shall**
16 **continue to apply.**

17 **(3) Neighborhood Commercial Districts. Any Use that is Conditionally Permitted in the**
18 **Neighborhood Commercial District in which the property is located shall be Principally Permitted in a**
19 **Historic Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and**
20 **Light Manufacturing shall be Principally Permitted. Any Use that is not permitted in the Neighborhood**
21 **Commercial District in which a property is located shall be Conditionally Permitted in a Historic**
22 **Building, except Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light**
23 **Manufacturing shall be Conditionally Permitted.**

1 (4) **Commercial and Residential-Commercial Districts.** In C-2, C-3, and RC Districts,
2 all Uses shall be Principally Permitted in Historic Buildings, except Industrial Uses; provided that
3 Agricultural and Beverage Processing 1 and Light Manufacturing shall be Principally Permitted.

4 (5) **All other Districts.** In any District not specifically listed in subsections (d)(1)-(4):

5 (A) **Principally Permitted Uses.** Any Use that is Conditionally Permitted in the
6 District in which the property is located shall be Principally Permitted in a Historic Building, except
7 Industrial Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall
8 be Principally Permitted.

9 (B) **Conditionally Permitted Uses.** Any Use that is not permitted in the District
10 in which a property is located shall be Conditionally Permitted in a Historic Building, except Industrial
11 Uses; provided that, Agricultural and Beverage Processing 1 and Light Manufacturing shall be
12 Conditionally Permitted.

13
14 **SEC. 205.8. TEMPORARY USES: HISTORIC BUILDINGS**

15 (a) **Temporary Uses** may be authorized by the Planning Director for Historic Buildings in
16 accordance with Section 202.11 and this Section 205.8.

17 (b) **Initial Period.** The Planning Director may authorize any Retail Sales and Service or
18 Entertainment, Arts and Recreation Use as a temporary use under Section 205 et seq., within any
19 vacant Non-Residential space in a Historic Building. Such temporary use shall be limited to an initial
20 term of six years.

21 (c) **Extension.** Upon the Planning Director's written determination that permits for the
22 Historic Building are being and have been diligently pursued, and that the temporary use has been
23 consistent with public convenience, necessity, or the general welfare of the City, the Planning Director
24 is authorized to permit the temporary use to exceed the Initial Period for an additional period of up to
25

six years. This extension shall require a separate determination of the Planning Director, and the authorization of the temporary use may not exceed a total duration of 12 years.

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

* * * *

Table 209.1

ZONING CONTROL TABLE FOR RH DISTRICTS

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
RESIDENTIAL STANDARDS AND USES						
* * * *						
Residential Uses						
* * * *						
Residential Density, Group Housing	§ 208	NP (3) (10)	NP (3) (10)	NP (3) (10)	P, up to one bedroom for every 415 square feet of lot area.	P, up to one bedroom for every 275 square feet of lot area.
* * * *						
NON-RESIDENTIAL STANDARDS AND USES						
Development Standards						
* * * *						

Limited Commercial Uses	§§ 186, 186.3	Continuing nonconforming uses are permitted, subject to the requirements of § 186. Limited Commercial Uses may be conditionally permitted in historic buildings subject to § 186.3.
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	§§ 202.11; 710	<u>In Historic Buildings, any Use listed as NP below is C, if it is C or P on the ground floor in the NC-1 District.</u>
Agricultural Use Category		
* * * *		

* * * *

(3) ~~{Note Deleted}~~ C pursuant to Sections 202.11 and 710.

* * * *

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

* * * *

Table 209.2

ZONING CONTROL TABLE FOR RM DISTRICTS

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
Development Standards					

1	* * * *		
2	Limited	§§ 186, 186.3	Continuing nonconforming uses are permitted, subject to
3	Commercial		the requirements of § 186. Limited Commercial Uses may
4	Uses		be conditionally permitted in historic buildings subject to §
5			186.3.
6	* * * *		
7	<u>Non-Residential Uses</u>		
8	<u>Uses in Historic Buildings</u>		
9	<u>Historic Buildings</u>	§§ 202.11;	<u>In Historic Buildings, any Use listed as NP below is C, if it is</u>
10		<u>710</u>	<u>C or P on the ground floor in the NC-1 District.</u>
11	Agricultural Use Category		
12	* * * *		

* * * *

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

* * * *

Table 209.3

ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS

Zoning Category	§ References	RC-3	RC-4
* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
<u>Non-Residential Uses</u>			
<u>Uses in Historic Buildings</u>			

<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
* * * *		

* * * *

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

* * * *

Table 209.4

ZONING CONTROL TABLE FOR RTO DISTRICTS

Zoning Category	§ References	RTO	RTO-M
* * * *			
NON-RESIDENTIAL STANDARDS AND USES			
* * * *			
<u>Non-Residential Uses</u>			
<u>Uses in Historic Buildings</u>			
<u>Historic Buildings</u>	<u>§§ 202.11;</u> <u>710</u>	<u>In Historic Buildings, any Use listed as NP below is C, if it is</u> <u>C or P on the ground floor in the NC-1 District.</u>	
Agricultural Use Category			
* * * *			

* * * *

SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.

* * * *

Table 210.1

ZONING CONTROL TABLE FOR C-2 DISTRICTS

Zoning Category	§ References	C-2
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
* * * *		

* * * *

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						
* * * *						
<u><i>Non-Residential Uses</i></u>						
<u><i>Uses in Historic Buildings</i></u>						
<u><i>Historic Buildings</i></u>	<u>§§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>				

1 **Agricultural Use Category**

2 * * * *

3 * * * *

4
5 **~~SEC. 310. ZONING PROCEDURES NOT TO APPLY TO ARTICLE 10.~~**

6 ~~Notwithstanding any other provision of this Code, the procedures set forth in this Article 3~~
7 ~~(Sections 301 through 309 of this Code) shall not apply to Article 10, Preservation of Historical,~~
8 ~~Architectural and Aesthetic Landmarks; the procedures applicable to Article 10 are included therein.~~

9
10 **~~SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM~~**
11 **~~STREET NCT AND RCD DISTRICTS.~~**

12 ~~—The following controls are intended to support the economic viability of buildings of historic~~
13 ~~importance within the Folsom NCT and RCD Districts.~~

14 ~~—(a) **Applicability.** This Section 703.9 applies only to buildings that are a designated~~
15 ~~landmark building per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant~~
16 ~~to Article 11 of this Code and located within the Extended Preservation District, or a building listed in~~
17 ~~or determined individually eligible for or contributory to a district listed on the National Register of~~
18 ~~Historic Places or the California Register of Historical Resources by the State Office of Historic~~
19 ~~Preservation.~~

20 ~~—(b) **Permitted uses.** Non-Retail Professional Service, Retail Professional Service, Community~~
21 ~~Facility, Private Community Facility, Social Service and Philanthropic Facility, Financial Service,~~
22 ~~Gym, Limited Financial Service, Health Service, Personal Service, and Instructional Service uses as~~
23 ~~defined in Section 102, are Principally Permitted. In the RCD District only, in addition to the above~~
24 ~~uses, Nighttime Entertainment uses as defined in Section 102 require Conditional Use authorization on~~
25 ~~the third floor and above, except that Nighttime Entertainment uses are Principally Permitted in Article~~

~~10 Landmark Building No. 120 (St. Joseph’s Church at 1401 Howard Street). For all uses listed above, prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission, shall determine that allowing the use will enhance the feasibility of preserving the building. The project sponsor must also submit a Preservation, Rehabilitation, and Maintenance Plan that describes any proposed preservation and rehabilitation work and that guarantees the maintenance and upkeep of the historic resource for approval by the Department. This Plan shall include:~~

- ~~— (i) a plan for the ongoing maintenance of the subject property;~~
- ~~— (ii) information regarding the nature and cost of any rehabilitation, restoration, or preservation work to be conducted at the subject property, including information about any required seismic, life safety, or disability access work;~~
- ~~— (iii) a construction schedule; and~~
- ~~— (iv) such other information as the Department may require in order to determine compliance with this subsection 703.9(b).~~
- ~~— (c) **Project Review.** The Historic Preservation Commission shall review the proposed project for compliance with the Secretary of the Interior’s Standards (36 C.F.R. § 67.7 (2001)) and any applicable provisions of the Planning Code.~~

SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		
Residential Uses	Controls by Story	

		1st	2nd	3rd +
Residential Uses	§ 102	NP(3)(11)	P	P
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(3) ~~{Note deleted.}~~ C in Historic Buildings pursuant to Section 202.11.

* * * *

SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

* * * *

Zoning Category	§ References	Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		

Residential Uses		Controls by Story		
		1st	2nd	3rd +
Residential Uses (except for Group Housing, see below)	§ 102	P	P	P
Group Housing	§§ 102, 208	C(1)(<u>7</u>)	C	C
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(1) NP on 1st floor on lots with more than 25 feet of street frontage.

* * * *

(7) ~~{Note deleted.}~~ P in Historic Buildings pursuant to Section 202.11.

* * * *

SEC. 758. REGIONAL COMMERCIAL DISTRICT.

* * * *

Zoning Category	§ References	Controls		
* * * *				
RESIDENTIAL STANDARDS AND USES				
* * * *				
Residential Uses		Controls by Story		
		1st	2nd	3rd +
Residential Uses (except for Group Housing, see below)	§ 102	P	P	P
* * * *				
Group Housing	§§ 102, 208	C(1)(<u>Z</u>)	C	C
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
* * * *				

* * * *

(1) NP on 1st floor on lots with more than 25 feet of street frontage.

* * * *

(7) ~~[Note deleted.]~~ P in Historic Buildings pursuant to Section 202.11.

* * * *

SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.

* * * *

(b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts are either Principally Permitted, Conditional, Accessory, temporary, or are not permitted. The Uses and Use Characteristics that are Principally Permitted, Conditionally Permitted, or not permitted are detailed in the Zoning Control Tables for each zoning district.

(1) **Permitted Uses.** If there are two or more uses in a structure, any use not classified below under Section 803.3(b)(1)(C) of this Code as Accessory will be considered separately as an independent permitted, Conditional, temporary, or not permitted use.

* * * *

(D) **Temporary Uses.** Temporary uses not otherwise permitted are permitted in Eastern Neighborhoods Mixed Use Districts to the extent authorized by Sections 202.11 and 205 through 205.58 of this Code.

* * * *

SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.

(a) **Housing Requirement in the Mixed Use-Residential (MUR) District.** In new construction in the MUR District, three square feet of Gross Floor Area for Residential Use is

1 required for every one gross square foot of permitted Non-Residential Use.

2 ~~—(b) **Preservation of Historic Buildings within Certain Mixed Use Districts.** The following~~
3 ~~controls are intended to support the economic viability of buildings of historic importance within~~
4 ~~certain Mixed Use Districts.~~

5 ~~—(1) **CMUO, MUG, MUR, MUO, and SPD Districts.** This subsection (b)(1) applies only to~~
6 ~~buildings in CMUO, MUG, MUO, MUR, or SPD Districts that are designated landmark buildings or~~
7 ~~contributory buildings within a designated historic district pursuant to Article 10 of the Planning Code,~~
8 ~~or buildings listed on or determined eligible for the California Register of Historical Resources by the~~
9 ~~State Office of Historic Preservation.~~

10 ~~—(A) All uses are principally permitted, provided that:~~

11 ~~—(i) The project does not contain any Nighttime Entertainment use.~~

12 ~~—(ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
13 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
14 ~~feasibility of preserving the building.~~

15 ~~—(iii) Residential uses meet the affordability requirements of the Residential~~
16 ~~Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.~~

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

20 ~~—(2) **RED and RED-MX Districts.** This subsection (b)(2) applies only to buildings in RED~~
21 ~~and RED-MX Districts that are a designated landmark building per Article 10 of the Planning Code,~~
22 ~~buildings designated as Category I-IV pursuant to Article 11 of this Code and located within the~~
23 ~~Extended Preservation District, or a building listed in or determined individually eligible for the~~
24 ~~National Register of Historic Places or the California Register of Historical Resources by the State~~
25 ~~Office of Historic Preservation.~~

1 ~~—— (A) Arts Activities, Community Facility, Private Community Facility, Public Facility,~~
2 ~~School, Social Service or Philanthropic Facility, and Trade School uses are principally permitted, and~~
3 ~~Retail Sales and Services uses and Office Uses as defined in Section 102, are permitted only with~~
4 ~~Conditional Use authorization, pursuant to Planning Code Section 303, provided that:~~

5 ~~—— (i) The project does not contain any Adult Business or Nighttime Entertainment use.~~

6 ~~—— (ii) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
7 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
8 ~~feasibility of preserving the building.~~

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

12 ~~—— (3) **WMUG District.** This subsection (b)(3) applies only to buildings in the WMUG District~~
13 ~~that are a designated landmark building per Article 10 of the Planning Code, buildings designated as~~
14 ~~Category I-IV pursuant to Article 11 of this Code and located within the Extended Preservation~~
15 ~~District, or a building listed in or determined individually eligible for the National Register of Historic~~
16 ~~Places or the California Register of Historical Resources by the State Office of Historic Preservation.~~

17 ~~—— (A) Office uses, as defined in Planning Code Section 102, are principally permitted,~~
18 ~~provided that:~~

19 ~~—— (i) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
20 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
21 ~~feasibility of preserving the building.~~

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

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

5 ~~—(A) All uses are principally permitted, provided that prior to the issuance of any~~
6 ~~necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission,~~
7 ~~determines that allowing the use will enhance the feasibility of preserving the building.~~

8 ~~—(B) The Historic Preservation Commission shall review the proposed project for~~
9 ~~compliance with the Secretary of the Interior's Standards. (36 C.F.R. § 67.7 (2001)) and any applicable~~
10 ~~provisions of the Planning Code.~~

11 ~~—(c) **Preservation of Historic Buildings within and UMU Districts.** The following rules are~~
12 ~~intended to support the economic viability of buildings of historic importance within the UMU District.~~

13 ~~—(1) This subsection applies only to buildings that are a designated landmark building, or a~~
14 ~~building listed on or determined eligible for the California Register of Historical Resources by the State~~
15 ~~Office of Historic Preservation.~~

16 ~~—(2) All uses are permitted as of right, provided that:~~

17 ~~—(A) The project does not contain nighttime entertainment.~~

18 ~~—(B) Prior to the issuance of any necessary permits, the Zoning Administrator, with the~~
19 ~~advice of the Historic Preservation Commission, determines that allowing the use will enhance the~~
20 ~~feasibility of preserving the building.~~

21 ~~—(C) Residential uses meet the affordability requirements of the Residential Inclusionary~~
22 ~~Affordable Housing Program set forth in Section 415 et seq.~~

23 ~~—(3) The Historic Preservation Commission shall review the proposed project for~~
24 ~~compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any~~
25 ~~applicable provisions of the Planning Code.~~

1 (~~b~~d) **Legal and Government Office Uses in the Vicinity of the Hall of Justice.**

2 Within an approximately 300-foot radius of the 800 Bryant Street entrance to the Hall of
3 Justice, and Assessor's Block 3780, Lots 1 and 2, as shown on Sectional Map 8SU of the
4 Zoning Map, the offices of attorneys, bail and services, government agencies, union halls, and
5 other criminal justice activities and services directly related to the criminal justice functions of
6 the Hall of Justice shall be permitted as a principal use. There shall be a Notice of Special
7 Restriction placed on the property limiting office activities to uses permitted by this subsection
8 (b).

9 (~~c~~e) **Vertical Controls for Office Uses.**

10 (1) **Purpose.** In order to preserve ground floor space for production, distribution,
11 and repair uses and to allow the preservation and enhancement of a diverse mix of land uses,
12 including limited amounts of office space on upper stories, additional vertical zoning controls
13 shall govern Office Uses as set forth in this subsection ~~803.9~~(ec).

14 (2) **Applicability.** This subsection ~~803.9~~(fc) shall apply to all Office Uses in the
15 MUG and UMU Districts and all office uses in buildings in the PDR-1-D and PDR-1-G Districts
16 that are designated as landmarks pursuant to Article 10 of the Planning Code, where
17 permitted.

18 (3) **Controls.**

19 * * * *

20 (B) **Designated Office Story or Stories.** Office Uses are not permitted on the
21 ground floor, except as specified in Section ~~840~~ 839 for MUG Districts and Section ~~843~~ 838 for
22 UMU Districts. Office Uses may be permitted on stories above the ground floor if they are
23 designated as office stories. On any designated office story, Office Uses are permitted,
24 subject to any applicable use size limitations. On any story not designated as an office story,
25 Office Uses are not permitted. When an Office Use is permitted on the ground floor per

Sections ~~840 and 843~~ 838 and 839, it shall not be considered a designated office story for the purposes of subsection ~~803.9(c)(4)~~(c)(3)(E) below.

* * * *

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

Table 803.9~~(ec)~~

* * * *

~~(df)~~ **Retail Controls in the MUG, MUO, CMUO, and UMU Districts.** In the MUG, MUO, CMUO, and UMU Districts, up to 25,000 gross square feet of Retail Sales and Services use is permitted per lot. Above 25,000 gross square feet, three gross square feet of other uses permitted in that District are required for every one gross square foot of retail. In the UMU District, Gym uses are exempt from this requirement. In the CMUO District, Hotel uses are exempt from this requirement.

SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.

* * * *

(c) **Use.** ~~A use is the specified purpose for which a property or building is used, occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted, conditional, accessory, temporary or are not permitted.~~ If there are two or more ~~u~~Uses in a structure, any

#Use not classified in Section 825(c)(1)(C) below as accessory will be considered separately as an independent permitted, conditional, temporary or not permitted #Use.

(1) Permitted Uses.

(A) Principal Uses. All #Uses are permitted as Principal Uses as of right in a Downtown Residential district unless otherwise indicated as a Conditional Use or Not Permitted in this Section 825 ~~of this Code~~ or any other Section governing an individual DTR District; *provided that additional Uses may be Principally Permitted pursuant to Section 202.11.* Additional requirements and conditions may be placed on particular #Uses as provided pursuant to Section 803.5 and other applicable provisions of this Code.

* * * *

SEC. 830. CMUO – CENTRAL SOMA MIXED USE-OFFICE DISTRICT.

* * * *

Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
* * * *		

* * * *

(2) Not subject to ratio requirements of (1) above, pursuant to § 803.9(~~gd~~).

* * * *

SEC. 831. MUG – MIXED USE-GENERAL DISTRICT.

* * * *

MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
Private Parking Garage	§ 102	C(I)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C(I)
Public Parking Lot	§ 102	NP
Service, Motor Vehicle Tow	§ 102	C(I)
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C(I)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		

1	Entertainment, Arts and Recreation Uses*	§§ 102, 181(f), 803.9(b)	NP(I)(4)
2	Arts Activities	§ 102	P
3	Entertainment, General	§ 102	NP(8)
4	Movie Theater	§ 102	P up to three screens.
5	Open Recreation Area	§ 102	P
6	Industrial Use Category		
7	Industrial Uses*	§ 102	NP(I)
8	Light Manufacturing	§ 102	P
9	Institutional Use Category		
10	Institutional Uses*	§§ 102, 202.2(e), 803.9(b)	P
11	Hospital	§ 102	NP(I)
12	Medical Cannabis Dispensary	§§ 102, 202.2(e)	P(4)
13	Post-Secondary Educational Institution	§ 102	C(I)
14	Sales and Service Category		
15	Retail Sales and Service Uses*	§§ 102	P(5)
16	Adult Business	§ 102	NP(I)
17	Adult Sex Venue	§§ 102, 249.78	P(5)(7)
18	Bar	§§ 102, 202.2(a), 803.9(b)	C(I)(5)
19	Cannabis Retail	§§ 102, 202.2(a), 803.9(b)	C(I)(5)
20	Hotel	§ 102	C(I)
21	Kennel	§ 102	NP(I)
22	Liquor Store	§§ 102, 202.2(a)	C(I)(5)
23	Massage Establishment	§ 102	P on 1st floor, C on 2nd floor, and NP on 3rd floor and above (6)
24	Mortuary	§ 102	NP(I)
25	Self Storage	§ 102	NP(I)
	Non-Retail Sales and Service*	§ 102	P
	Life Science	§ 102	NP(I)
	Utility and Infrastructure Use Category		

Utility and Infrastructure uses*	§ 102	NP(H)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(3)

* * * *

(1) [Note Deleted] ~~P in historic buildings as set forth in § 803.9(b).~~

* * * *

SEC. 832. MUO – MIXED USE-OFFICE DISTRICT.

* * * *

Zoning Category	§ References	Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(H)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise NP.
Motor Vehicle Tow Service	§ 102	C(H)
Private Parking Garage	§ 102	C(H)

1	Private Parking Lot	§ 102	NP
2	Public Parking Garage	§ 102	C (+)
3	Public Parking Lot	§ 102	NP
4	Service, Parcel Delivery	§§ 102, 303(cc)	C
5	Vehicle Storage Garage	§ 102	C (+)
6	Vehicle Storage Lot	§ 102	NP
7	Entertainment, Arts and Recreation Use Category		
8	Entertainment, Arts and Recreation Uses*	§ 102; 803.9(b)	P
9	Entertainment, Nighttime	§ 102	C
10	Livery Stables	§ 102	NP (+)
11	Movie Theater	§ 102	P up to three screens
12	Sports Stadium	§ 102	NP (+)
13	Industrial Use Category		
14	Industrial Uses	§ 102	NP (+)
15	Light Manufacturing	§ 102	P
16	Institutional Use Category		
17	Institutional Uses	§§ 202.2(e); 803.9(b)	P
18	Sales and Service Category		
19	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(4) (6)
20	Adult Business	§ 102	NP (+)
21	Adult Sex Venue	§ 102	C (+)
22	Hotel	§ 102	C(5) (+)
23	Massage Establishment	§ 102	NP (+)
24	Mortuary	§ 102	NP (+)
25	Self Storage	§ 102	NP (+)

Non-Retail Sales and Service	§ 102	P
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP(I)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(I)(2)

* * * *

(1) [Note Deleted] ~~P in historic buildings as set forth in § 803.9(b).~~

* * * *

SEC. 833. MUR – MIXED USE-RESIDENTIAL DISTRICT.

* * * *

Zoning Category	§ References	Mixed Use-Residential District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(I)

1	Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
2	Motor Vehicle Tow Service	§ 102	C(H)
3	Private Parking Garage	§ 102	C(H)
4	Private Parking Lot	§ 102	NP(H)
5	Public Parking Garage	§ 102	C(H)
6	Public Parking Lot	§ 102	NP
7	Service, Parcel Delivery	§§ 102, 303(cc)	C
8	Vehicle Storage Garage	§ 102	C(H)
9	Vehicle Storage Lot	§ 102	NP
10	Entertainment, Arts and Recreation Use Category		
11	Entertainment, Arts and Recreation Uses*	§§ 102, 181(f), 249.78, 803.9(b)	NP(H)(3)
12	Arts Activities	§ 102	P
13	Entertainment, General	§ 102	NP(7) (8)
14	Entertainment, Nighttime	§§ 102, 181(f)	NP(8)
15	Movie Theater	§ 102	P up to three screens.
16	Open Recreation Area	§ 102	P
17	Industrial Use Category		
18	Industrial Uses	§ 102	NP(H)
19	Manufacturing, Light	§ 102	P
20	Institutional Use Category		
21	Institutional Uses*	§§ 202.2(e); 803.9(b)	P
22	Hospital	§ 102	NP(H)
23	Medical Cannabis Dispensary	§ 202.2(e)	P(3)
24			
25			

1	Post-Secondary Educational Institution	§ 102	C(H)
2	Sales and Service Category		
3	Retail Sales and Service Uses*	§ 102	P
4	Adult Business	§ 102	NP(H)
5	Adult Sex Venue	§§ 102, 249.78	C(6)
6	Cannabis Retail	§ 202.2(a); 803.9(b)	P(3)
7	Hotel	§ 102	NP(H)
8	Massage Establishment	§ 102	P on 1st floor, C on 2nd floor, and NP on 3rd floor and above (5)
9	Mortuary	§ 102	NP(H)
10	Self Storage	§ 102	NP(H)
11	Non-Retail Sales and Service*	§ 102	P
12	Life Science	§ 102	NP(H)
13	Storage, Wholesale	§ 102	NP(H)
14	Utility and Infrastructure Use Category		
15	Utility and Infrastructure uses*	§ 102	NP(H)
16	Public Transportation Facility	§ 102	P
17	Wireless Telecommunications Services Facility	§ 102	C(H)(2)

* * * *

(1) [Note Deleted] ~~P in historic buildings per § 803.9(b).~~

* * * *

(5) P on all floors if accessory to a Hotel, Personal Service, or Health Service, ~~or if located within a historic building per § 803.9(b).~~

* * * *

SEC. 834. RED – RESIDENTIAL ENCLAVE DISTRICT.

* * * *

Zoning Category	§ References	Residential Enclave District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	NP
Agriculture, Neighborhood	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses	§ 102	NP
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	NP
Arts Activities, except Theater	§§ 102, 803.9(b)	C(I)
Open Recreation Area	§ 102	P
Industrial Use Category		
Industrial Uses	§ 102	NP
Institutional Use Category		
Institutional Uses*	§§ 102, 202.2(e)	NP
Child Care Facility	§ 102	P
Community Facility	§ 102, 803.9(b)	NP(I)
Community Facility, Private	§ 102, 803.9(b)	NP(I)

Public Facility	§§ 102, 803.9(b)	C (1)
Residential Care Facility	§ 102	P
School	§§ 102, 803.9(b)	NP (1)
Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2), 803.9(b)	NP (1)
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a), 803.9(b)	NP (2)
Service, Personal	§ 102	NP(3)
Trade Shop	§ 102	NP(3)
Non-Retail Sales and Service*	§ 102	NP (1)
Catering	§ 102	NP(3)
Design Professional	§ 102	NP(3)
Office Uses	§ 102,	NP (2)
Trade Office	§ 102	NP(3)
Storage, Wholesale	§ 102	NP(3)
Wholesale Sales	§ 102	NP(3)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP
Wireless Telecommunications Services Facility	§ 102	NP(4)

* Not listed below

(1) [Note Deleted] ~~P in historic buildings as set forth in § 803.9(b)~~

(2) [Note Deleted] ~~C in historic buildings as set forth in § 803.9(b)~~

SEC. 835. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.

* * * *

Zoning Category	§ References	Residential Enclave-Mixed District Controls
* * * *		
RESIDENTIAL STANDARDS AND USES		
* * * *		
Residential Conversion	§ 317	NP (5)
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	NP
Automotive Repair	§ 102	P(3)
Private Parking Garage	§ 102	C
Vehicle Storage Lot	§ 102	C
Vehicle Storage Garage	§ 102	C
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	NP
Arts Activities	§ 102	P(3)

1	Open Recreation Area	§ 102	P
2	Industrial Use Category		
3	Industrial Uses*	§ 102	NP
4	Light Manufacturing	§ 102	P(3)
5	Institutional Use Category		
6	Institutional Uses*	§§ 102, 202.2(e); 803.9(b)	P
7	Hospital	§ 102	NP
8	Medical Cannabis Dispensary	§ 102	NP
9	Post-Secondary Educational Institution	§ 102	C
10	School	§ 102	C
11	Sales and Service Category		
12	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(3)
13	Adult Business	§ 102	NP
14	Bar	§ 102	NP
15	Hotel	§ 102	NP
16	Massage Establishment	§ 102	NP
17	Mortuary	§ 102	NP
18	Self Storage	§ 102	NP
19	Service, Financial	§ 102	NP
20	Service, Fringe Financial	§ 102	NP
21	Non-Retail Sales and Service*	§ 102	P(3)
22	Laboratory	§ 102	NP
23	Life Science	§ 102	NP
24	Office Uses	§ 102	NP
25	Utility and Infrastructure Use Category		

Utility and Infrastructure uses*	§ 102	NP
Public Transportation Facility	§ 102	C
Wireless Telecommunications Services Facility	§ 102	C(1)

* * * *

(5) [Note Deleted] ~~C in Article 10 Landmark Buildings~~

SEC. 836. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

* * * *

Zoning Category	§ References	Service/Arts/Light Industrial District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	§ 202.11	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(6)
Automobile Sale or Rental	§ 102	P(5)
Private Parking Garage	§ 102	C
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C

1	Public Parking Lot	§ 102	NP
2	Service, Parcel Delivery	§§ 102, 303(cc)	C
3	Vehicle Storage Garage	§ 102	C
4	Vehicle Storage Lot	§ 102	NP
5	Entertainment, Arts and Recreation Use Category		
6	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P
7	Movie Theater	§ 102	P up to three screens.
8	Outdoor Entertainment	§ 102	NP
9	Sports Stadium	§ 102	NP
10	Industrial Use Category		
11	Industrial Uses	§ 102	NP
12	Light Manufacturing	§ 102	P
13	Institutional Use Category		
14	Institutional Uses	§§ 102, 202.2(e), 803.9(b)	P
15	Hospital	§ 102	NP
16	Medical Cannabis Dispensary	§§ 102, 202.2(e)	P(8)
17	Post-Secondary Educational Institution	§ 102	NP
18	Residential Care	§ 102	NP
19	School	§ 102	NP
20	Sales and Service Category		
21	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(5)(8)
22	Adult Business	§ 102	NP
23	Animal Hospital	§ 102	P
24	Cat Boarding	§ 102	P
25			

Hotel	§ 102	NP
Kennel	§ 102	P
Massage Establishment	§ 102	C
Mortuary	§ 102	P
Self Storage	§ 102	NP
Trade Shop	§ 102	P
Non-Retail Sales and Service*	§ 102	P
Life Science	§ 102	NP
Office Uses	§ 102	NP(9)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(1)

* * * *

(9) Office Uses related to the Hall of Justice are P in Special Use District, pursuant to § 803.9(ec).

SEC. 837. SPD – SOUTH PARK DISTRICT.

* * * *

Zoning Category	§ References	South Park District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u>§ 202.11</u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		

Agricultural Uses*	§§ 102, 202.2(c)	P
Agriculture, Industrial	§§ 102, 202.2(c)	NP
Automotive Use Category		
Automotive Uses	§ 102	NP
Entertainment, Arts and Recreation Use Category		
Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	NP (I)
Arts Activities, except Theater	§ 102	P
Entertainment, General	§ 102	C
Open Recreation Area	§ 102	P
Industrial Use Category		
Industrial Uses*	§ 102	NP
Light Manufacturing	§ 102	P
Institutional Use Category		
Institutional Uses*	§§ 102, 202.2(e), 803.9(b)	NP (I)
Child Care Facility	§ 102	P
Community Facility	§ 102	C (I)
Community Facility, Private	§ 102, 803.9(b)	C (I)
Medical Cannabis Dispensary	§§ 102, 202.2(e)	P
Public Facility	§§ 102, 803.9(b)	P
Residential Care Facility	§ 102	P
Religious Facility	§§ 102, 803.9(b)	C (I)

1	Social Service and Philanthropic Facility	§§ 102, 202.2(e)(2), 803.9(b)	P
2	Sales and Service Category		
3	Retail Sales and Service Uses*	§ 102	P(5)(6)
4	Adult Sex Venue	§ 102	NP
5	Bar	§§ 102, 202.2(a), 803.9(b)	C(1)(5)
6	Cannabis Retail	§§ 102, 202.2(a), 803.9(b)	C(1)(5)
7	Kennel	§ 102	NP(1)
8	Liquor Store	§ 102, 202.2(a)	C(1)(5)
9	Mortuary	§ 102	NP(1)
10	Self Storage	§ 102	NP(1)
11	Service, Fringe Financial	§ 102	NP(2)
12	Non-Retail Sales and Service*	§ 102	P
13	Laboratory	§ 102	NP(1)
14	Storage, Wholesale	§ 102	NP(1)
15	Utility and Infrastructure Use Category		
16	Utility and Infrastructure uses*	§ 102	NP
17	Wireless Telecommunications Services Facility	§ 102	C(3)

* * * *

(1) [Note Deleted] P in historic buildings per § 803.9(b).

* * * *

SEC. 838. UMU – URBAN MIXED USE DISTRICT.

* * * *

Zoning Category	§ References	Urban Mixed Use District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u><i>§ 202.11</i></u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P
Ambulance Service	§ 102	C(5)
Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise NP(2)
Automotive Wash	§ 102	C(5)
Motor Vehicle Tow Service	§ 102	C(5)
Private Parking Garage	§ 102	C(5)
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C(5)
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C(5)
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		

1	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P
2	Movie Theater	§ 102	P, up to three screens
3	Livery Stable	§ 102	NP (5)
4	Outdoor Entertainment	§ 102	NP
5	Sports Stadium	§ 102	NP (5)
6	Industrial Use Category		
7	Industrial Uses	§ 102	NP (5)
8	Light Manufacturing	§ 102	P
9	Institutional Use Category		
10	Institutional Uses	§§ 202.2(e); 803.9(b)	P
11	Hospital	§ 102	NP (5)
12	Post-Secondary Educational Institution	§ 102	C (5)
13	Sales and Service Category		
14	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(2)
15	Adult Business	§ 102	C (5)
16	Adult Sex Venue	§ 102	C
17	Gym	§§ 102; 803.9(g <u>d</u>)	P(3)
18	Hotel	§ 102	NP (5)
19	Massage Establishment	§ 102	NP (5)
20	Mortuary	§ 102	NP (5)
21	Self Storage	§ 102	NP (5)
22	Trade Shop	§ 102	P
23	Non-Retail Sales and Service*	§ 102	P
24	Life Science	§ 102	NP (5)
25	Office Uses	§§ 102; 803.9(<u>e</u> c)	P(4)

Professional Services, Non-Retail	§§ 102	P(4)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP (5)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C (5)

* * * *

(4) ~~Unless located within a historic building per §803.9(c), u~~Uses subject to vertical control of § 803.9~~(ec)~~.

(5) ~~[Note Deleted] P in historic buildings per § 803.9(b).~~

* * * *

SEC. 839. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

* * * *

Zoning Category	§ References	Western SoMa Mixed Use-General District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u>Non-Residential Uses</u>		
<u>Uses in Historic Buildings</u>		
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</u>
Agricultural Use Category		
Agricultural Uses*	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P(4)

1	Ambulance Service	§ 102	C(4)(5)(H)
2	Automobile Sale or Rental	§ 102	P if in an enclosed building; otherwise, NP.
3	Motor Vehicle Tow Service	§ 102	C(H)(4)
4	Private Parking Garage	§ 102	C(H)
5	Private Parking Lot	§ 102	NP
6	Public Parking Garage	§ 102	C(H)
7	Public Parking Lot	§ 102	NP
8	Service, Parcel Delivery	§§ 102, 303(cc)	C
9	Vehicle Storage Garage	§ 102	C(H)
10	Vehicle Storage Lot	§ 102	C
11	Entertainment, Arts and Recreation Use Category		
12	Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	C(H)
13	Arts Activities	§ 102	P
14	Entertainment, General	§ 102	C(8)
15	Movie Theater	§ 102	NP(H)
16	Nighttime Entertainment	§ 102	NP(8)
17	Open Recreation Area	§ 102	P
18	Industrial Use Category		
19	Industrial Uses	§ 102	NP(H)
20	Light Manufacturing	§ 102	P
21	Institutional Use Category		
22	Institutional Uses	§§ 102, 202.2(e), 803.9(b)	P
23	Hospital	§ 102	NP(H)
24			
25			

Post-Secondary Educational Institution	§ 102	C(H)
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(5)
Adult Business	§ 102	NP(H)
Adult Sex Venue	<u>§ 102</u>	P(7)
Hotel	§ 102	NP(H)
Massage Establishment	§ 102	C(H)
Mortuary	§ 102	NP(H)
Self Storage	§ 102	NP(H)
Trade Shop	§ 102	P
Non-Retail Sales and Service*	§ 102	P
Laboratory	§ 102	NP(H)
Life Science	§ 102	NP(H)
Office Uses	§ 102	NP(H)
Wholesale Storage	§ 102	C(H)
Utility and Infrastructure Use Category		
Utility and Infrastructure uses*	§ 102	NP(H)
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(H)(2)

* * * *

(1) [Note Deleted] *P in historic buildings per § 803.9(b).*

* * * *

SEC. 840. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

* * * *

Zoning Category	§ References	Western SoMa Mixed Use-Office District Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
<u><i>Non-Residential Uses</i></u>		
<u><i>Uses in Historic Buildings</i></u>		
<u><i>Historic Buildings</i></u>	<u><i>§ 202.11</i></u>	<u><i>In Historic Buildings, all Uses are P, except certain Industrial Uses as specified in § 202.11.</i></u>
Agricultural Use Category		
Agricultural Uses	§§ 102, 202.2(c)	P
Automotive Use Category		
Automotive Uses*	§ 102	P(8)
Ambulance Service	§ 102	C(7)
Automobile Sale or Rental	§ 102	P(6)(8)
Motor Vehicle Tow Service	§ 102	C
Private Parking Garage	§ 102	C
Private Parking Lot	§ 102	NP
Public Parking Garage	§ 102	C
Public Parking Lot	§ 102	NP
Service, Parcel Delivery	§§ 102, 303(cc)	C
Vehicle Storage Garage	§ 102	C
Vehicle Storage Lot	§ 102	NP
Entertainment, Arts and Recreation Use Category		

Entertainment, Arts and Recreation Uses*	§ 102, 803.9(b)	P
Movie Theater	§ 102	P, up to three screens
Outdoor Entertainment	§ 102	NP
Sports Stadium	§ 102	NP
Industrial Use Category		
Industrial Uses	§ 102	NP
Light Manufacturing	§ 102	P
Institutional Use Category		
Institutional Uses	§§ 102, 202.2(e); 803.9(b)	P
Hospital	§ 102	NP
Post-Secondary Educational Institution	§ 102	C
Residential Care	§ 102	NP
School	§ 102	C
Sales and Service Category		
Retail Sales and Service Uses*	§§ 102, 202.2(a)	P(6)(7)
Adult Business	§ 102	NP
Adult Sex Venue	§ 102	P
Hotel	§ 102	P up to 75 rooms.
Massage Establishment	§ 102	NP
Mortuary	§ 102	NP (I)
Self Storage	§ 102	NP (I)
Trade Shop	§ 102	P
Non-Retail Sales and Service*	§ 102	P
Utility and Infrastructure Use Category		

Utility and Infrastructure uses*	§ 102	NP
Internet Services Exchange	§ 102	C
Public Transportation Facility	§ 102	P
Wireless Telecommunications Services Facility	§ 102	C(2)

* * * *

(1) [Note Deleted] ~~P in historic buildings per § 803.9(b).~~

* * * *

Section 3. Article 7 of the Planning Code is hereby amended by revising the Zoning Control Tables for Sections 710-721, 723-746, 750-756, and 759-764, also listed below, to add two rows regarding Uses in Historic Buildings, as further shown in the Sample Zoning Control Table below:

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
* * * *		Controls by Story		
		1st	2nd	3rd +
<u>Uses in Historic Buildings</u>				
<u>Historic Buildings</u>	<u>§ 202.11</u>	<u>In Historic Buildings, Uses listed below as NP are C and Uses listed below as C are P, except certain Industrial Uses as specified in § 202.11.</u>		
Agricultural Use Category				

* * * *

- SEC. 710. NC-1 – Neighborhood Commercial Cluster District.
- SEC. 711. NC-2 – Small-Scale Neighborhood Commercial District.
- SEC. 712. NC-3 – Moderate-Scale Neighborhood Commercial District.
- SEC. 713. NC-S – Neighborhood Commercial Shopping Center District.
- SEC. 714. Broadway Neighborhood Commercial District.
- SEC. 715. Castro Street Neighborhood Commercial District.
- SEC. 716. Inner Clement Street Neighborhood Commercial District.
- SEC. 717. Outer Clement Street Neighborhood Commercial District.
- SEC. 718. Upper Fillmore Street Neighborhood Commercial District.
- SEC. 719. Haight Street Neighborhood Commercial District.
- SEC. 720. Excelsior Outer Mission Neighborhood Commercial District.
- SEC. 721. Japantown Neighborhood Commercial District.
- SEC. 723. Polk Street Neighborhood Commercial District.
- SEC. 724. Sacramento Street Neighborhood Commercial District.
- SEC. 725. Union Street Neighborhood Commercial District.
- SEC. 726. Pacific Avenue Neighborhood Commercial District.
- SEC. 727. Lakeside Village Neighborhood Commercial District.
- SEC. 728. 24th Street – Noe Valley Neighborhood Commercial District.
- SEC. 729. West Portal Avenue Neighborhood Commercial District.
- SEC. 730. Inner Sunset Neighborhood Commercial District.
- SEC. 731. Noriega Street Neighborhood Commercial District.
- SEC. 732. Irving Street Neighborhood Commercial District.
- SEC. 733. Taraval Street Neighborhood Commercial District.

- 1 SEC. 734. Judah Street Neighborhood Commercial District.
- 2 SEC. 735. Inner Balboa Street Neighborhood Commercial District.
- 3 SEC. 736. Outer Balboa Street Neighborhood Commercial District.
- 4 SEC. 737. Bayview Neighborhood Commercial District.
- 5 SEC. 738. Cortland Avenue Neighborhood Commercial District.
- 6 SEC. 739. Geary Boulevard Neighborhood Commercial District.
- 7 SEC. 740. Mission Bernal Neighborhood Commercial District.
- 8 SEC. 741. San Bruno Avenue Neighborhood Commercial District.
- 9 SEC. 742. Cole Valley Neighborhood Commercial District.
- 10 SEC. 743. Lower Haight Street Neighborhood Commercial District.
- 11 SEC. 744. Lower Polk Street Neighborhood Commercial District.
- 12 SEC. 745. Inner Taraval Street Neighborhood Commercial District.
- 13 SEC. 746. Leland Avenue Commercial District.
- 14 SEC. 750. NCT-1 – Neighborhood Commercial Transit Cluster District.
- 15 SEC. 751. NCT-2 – Small-Scale Neighborhood Commercial Transit District.
- 16 SEC. 752. NCT-3 – Moderate-Scale Neighborhood Commercial Transit District.
- 17 SEC. 753. Soma Neighborhood Commercial Transit District.
- 18 SEC. 754. Mission Street Neighborhood Commercial Transit District.
- 19 SEC. 755. Ocean Avenue Neighborhood Commercial Transit District.
- 20 SEC. 756. Glen Park Neighborhood Commercial Transit District.
- 21 SEC. 759. Divisadero Street Neighborhood Commercial Transit District.
- 22 SEC. 760. Fillmore Street Neighborhood Commercial Transit District.
- 23 SEC. 761. Hayes-Gough Neighborhood Commercial Transit District.
- 24 SEC. 762. Valencia Street Neighborhood Commercial Transit District.
- 25 SEC. 763. 24th Street – Mission Neighborhood Commercial Transit District.

1 SEC. 764. Upper Market Street Neighborhood Commercial Transit District.

2
3 Section 4. Article 2 of the Planning Code is hereby amended by revising Section 202.8,
4 to read as follows:

5
6 **SEC. 202.8. LIMITATION ON CONVERSION OF PRODUCTION, DISTRIBUTION,**
7 **AND REPAIR USE, INSTITUTIONAL COMMUNITY USE, AND ARTS ACTIVITIES USE.**

8 * * * *

9 (f) **Exemptions.** The following shall be exempt from the requirements of this Section
10 202.8:

11 * * * *

12 (9) Any project that proposes to convert ~~no more than 50% of the property's~~ PDR,
13 Institutional Community, or Arts Activities space ~~that is within a Historic Building, provided that~~
14 ~~such space is located within a landmark designated under Article 10 of the Planning Code or~~
15 ~~individually listed on the National Register of Historic Places as of July 1, 2016 and that no more than~~
16 ~~49,999 square feet is converted to office use. Additionally, any such project that is also subject to a~~
17 ~~contract or agreement meeting the requirements of California Civil Code Section 1954.28(d), which, as~~
18 ~~part of the terms of such contract or agreement, rents, leases, or sells at 50% below market rate the~~
19 ~~property's remaining PDR, Institutional Community, or Arts Activities space, may convert an~~
20 ~~additional 25% of the property's PDR, Institutional Community, or Arts Activities space exempt from~~
21 ~~the requirements of this Section 202.8, for a total of 75% exempted conversion. The City department~~
22 ~~negotiating the contract or agreement shall determine the market rate using accepted best practices for~~
23 ~~this purpose. Such below market rate rental, lease, or sale shall be for a period of not less than 55~~
24 ~~years and subject to a deed restriction. The exemptions set forth in this subsection 202.8(f)(9) may be~~
25 ~~approved through multiple project applications so long as no more than a total of 50% (or 75% if~~

1 ~~restricting the commercial rent of the property as set forth herein) of the property's PDR, Institutional~~
2 ~~Community, or Arts Activities space is converted under this exemption.~~

3 * * * *

4
5 Section 5. Proposition X, Planning Code Section 202.8, and Two-Thirds Vote Approval
6 Requirement.

7 Section 4 of this ordinance amends Planning Code Section 202.8. In November 2016,
8 the voters of San Francisco approved Proposition X, which added Section 202.8 to the
9 Planning Code, regarding conversion of PDR, Institutional Community, and Arts Activities
10 uses in certain districts. Subsection 202.8(i) provides that the Board of Supervisors “by
11 ordinance and by at least a two-thirds vote of all its members” may amend Section 202.8.

12
13 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
14 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
15 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
16 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
17 additions, and Board amendment deletions in accordance with the “Note” that appears under
18 the official title of the ordinance. An exception to this general principle is Section 3 of this
19 ordinance, which in a different manner provides for amendment of the Planning Code.

1 Section 7. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6
7 APPROVED AS TO FORM:
8 DAVID CHIU, City Attorney

9 By: /s/ HEATHER GOODMAN
10 HEATHER GOODMAN
Deputy City Attorney

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