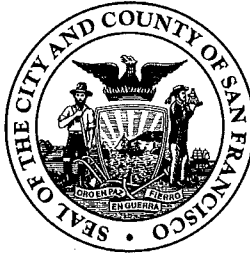



BOARD of SUPERVISORS



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MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM:  Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

DATE: February 11, 2016

SUBJECT: DUPLICATED LEGISLATION

On February 11, 2016, the Land Use and Transportation Committee **duplicated** the following legislation from the original File No. 150494 (same subject) and further amended the Ordinance:

File No. 160115-2,3

Ordinance amending the Planning Code to require Conditional Use authorization for the removal of any residential unit (whether legal or illegal) and compliance with landscaping and permeable surfaces requirements for building additions and residential mergers, and to exempt from the Conditional Use application requirement illegal units where is no legal path for legalization, residential units that have received prior Planning approval, and single family structures that are demonstrably unaffordable or unsound; amending the Building Code to require that notices of violation mandate legalization of an illegal unit unless infeasible under the Building Code or the Planning Commission approves its removal, and requiring re-issuance of unabated notices of violation to include the new requirement; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, Planning Code, Section 302, and the eight priority policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5. The Commission Secretary has sent confirmation that the Commission held a public hearing on the original File No. 150494 on January 20, 2016, and continued the matter to February 17, 2016.

Please forward me any recommendation and reports from the Commission at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

1 [Planning, Building Codes - Conditional Use Required to Remove Any Residential Unit;
2 Mandatory Legalization of Illegal Units; Permeable Surfaces and Landscaping Requirements]

3
4 **Ordinance amending the Planning Code to require Conditional Use authorization for**
5 **the removal of any residential unit (whether legal or illegal) and compliance with**
6 **landscaping and permeable surfaces requirements for building additions and**
7 **residential mergers, and to exempt from the Conditional Use application requirement**
8 **illegal units where is no legal path for legalization, and residential units that have**
9 **received prior Planning approval, and single-family homes that are demonstrably**
10 **unaffordable or unsound; amending the Building Code to require that notices of**
11 **violation mandate legalization of an illegal unit unless infeasible under the Building**
12 **Code or the Planning Commission approves its removal, and requiring re-issuance of**
13 **unabated notices of violation to include the new requirement; affirming the Planning**
14 **Department's determination under the California Environmental Quality Act; and**
15 **making findings of consistency with the General Plan, Planning Code, Section 302, and**
16 **the eight priority policies of Planning Code, Section 101.1.**

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

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

25 Section 1. Findings.

1 (a) The Planning Department has determined that the actions contemplated in this
2 ordinance comply with the California Environmental Quality Act (California Public Resources
3 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
4 Supervisors in File No. 160115 and is incorporated herein by reference. The Board affirms
5 this determination.

6 (b) On December 10, 2015, the Planning Commission, in Resolution No. 19532,
7 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
8 with the City's General Plan and the eight priority policies of Planning Code Section 101.1.
9 The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk
10 of the Board of Supervisors in File No. 160115, and is incorporated herein by reference.

11 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning
12 Code amendments will serve the public necessity, convenience, and welfare for the reasons
13 set forth in Planning Commission Resolution No. 19532 and the Board incorporates such
14 reasons herein by reference.

15
16 Section 2. The Planning Code is hereby amended by revising Sections 132 and 317,
17 to read as follows:

18 **SEC. 132. FRONT SETBACK AREAS, RTO, RH AND RM DISTRICTS AND FOR**
19 **REQUIRED SETBACKS FOR PLANNED UNIT DEVELOPMENTS.**

20 The following requirements for minimum front setback areas shall apply to every
21 building in all RH, RTO, and RM Districts, in order to relate the setbacks provided to the
22 existing front setbacks of adjacent buildings. Buildings in RTO Districts which have more than
23 75 feet of street frontage are additionally subject to the Ground Floor Residential Design
24 Guidelines, as adopted and periodically amended by the Planning Commission. Planned Unit
25

1 Developments or PUDs, as defined in Section 304, shall also provide landscaping in required
2 setbacks in accord with Section 132(g).

3 * * * *

4 (g) **Landscaping and Permeable Surfaces.** The landscaping and permeable
5 surface requirements of this Section and Section (h) below shall be met by the permittee in
6 the case of construction of a new building; the addition of a new Dwelling Unit, a garage, or
7 additional parking; any addition to a structure that would result in an increase of 20% or more of the
8 existing Gross Floor Area, as defined in Section 102; a Residential Merger, as defined in Section 317;
9 or paving or repaving more than 200 square feet of the front setback. All front setback areas
10 required by this Section 132 shall be appropriately landscaped, meet any applicable water use
11 requirements of Administrative Code Chapter 63, and in every case not less than 20 percent
12 of the required setback area shall be and remain unpaved and devoted to plant material,
13 including the use of climate appropriate plant material as defined in Public Works Code
14 Section 802.1. For the purposes of this Section, permitted obstructions as defined by Section
15 136(c)(6) chimneys, Section 136(c)(14) steps stairs, and Section 136(c)(26) (27) underground
16 garages, shall be excluded from the front setback area used to calculate the required
17 landscape and permeable surface area. If the required setback area is entirely taken up by
18 one or more permitted obstructions, the Zoning Administrator may allow the installation of
19 sidewalk landscaping that is compliant with applicable water use requirements of Chapter 63
20 of the Administrative Code to satisfy the requirements of this Section, subject to permit
21 approval from the Department of Public Works in accordance with Public Works Code Section
22 810B.

23 * * * *

24 **SEC. 317. LOSS OF DWELLING RESIDENTIAL AND UNAUTHORIZED UNITS THROUGH**
25 **DEMOLITION, MERGER AND CONVERSION.**

1 * * * *

2 (b) **Definitions.** For the purposes of this Section 317, the terms below shall be
3 defined as follows:

4 (1) "Residential Conversion" shall mean the removal of cooking facilities,
5 change of occupancy (as defined and regulated by the Building Code), or change of use (as
6 defined and regulated by the Planning Code), of any Residential Unit *or Unauthorized Unit* to a
7 ~~Non-Residential~~ or Student Housing use.

8 * * * *

9 (7) "Residential Merger" shall mean the combining of two or more *legal*
10 Residential *or Unauthorized* Units, resulting in a decrease in the number of Residential Units
11 *and Unauthorized Units* within a building, or the enlargement of one or more existing units while
12 substantially reducing the size of others by more than 25% of their original floor area, even if
13 the number of units is not reduced. The Planning Commission may reduce the numerical
14 element of this criterion by up to 20% of its value should it deem that adjustment is necessary
15 to implement the intent of this Section 317, to conserve existing housing and preserve
16 affordable housing.

17 * * * *

18 (10) "Removal" shall mean, with reference to a Residential *or Unauthorized*
19 Unit, its Conversion, Demolition, or Merger.

20 * * * *

21 (12) "Residential Unit" shall mean a legal conforming or *legal* nonconforming
22 Dwelling Unit, ~~or~~ a legal nonconforming Live/Work Unit or Group Housing, which are defined
23 in Section 102 of this Code.

24 (13) "*Unauthorized Unit*" shall mean *one or more rooms within a building that have*
25 *been used, without the benefit of a building permit, as a separate and distinct living or sleeping space*

1 independent from Residential Units on the same property. "Independent" shall mean that (i) the space
2 has independent access that does not require entering a Residential Unit on the property and (ii) there
3 is no open, visual connection to a Residential Unit on the property.

4 (14) "Vertical Envelope Elements" shall mean all exterior walls that provide
5 weather and thermal barriers between the interior and exterior of the building, or that provide
6 structural support to other elements of the building envelope.

7 * * * *

8 (c) **Applicability; Exemptions.**

9 (1) ~~An Any application for a permit that would result in the loss Removal of one~~
10 ~~or more Residential Units or Unauthorized Units is required to obtain Conditional Use~~
11 ~~authorization; provided, however, that in the RTO, RTO-M, NCT, and Upper Market NCD Zoning~~
12 ~~Districts, as well as the loss of any residential unit above the ground floor in the C-3 Zoning District,~~
13 ~~only the Removal of a Residential Unit or Unauthorized Unit above the ground floor requires a~~
14 ~~Conditional Use authorization. The application for a replacement building or alteration permit~~
15 ~~shall also be subject to Conditional Use requirements. When considering whether to grant~~
16 ~~Conditional Use authorization for the loss of dwelling unit(s) in the C-3 districts, in lieu of the criteria~~
17 ~~set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the~~
18 ~~public health, safety, and general welfare of the loss of housing stock in the district and to any~~
19 ~~unreasonable hardship to the applicant if the permit is denied. Any application for a permit that would~~
20 ~~result in the loss or Removal of three or more Residential Units, notwithstanding any other sections of~~
21 ~~this Code, shall require a Conditional Use authorization for the Removal and replacement of the units.~~
22 ~~Approval of any other application that would result in the loss or Removal of up to two Residential~~
23 ~~Units is prohibited unless the Planning Commission approves such permit application and the~~
24 ~~replacement structure permit application at a Mandatory Discretionary Review hearing, with certain~~
25 ~~exceptions specified below.~~

1 (2) The Conditional Use requirement of Subsection (c)(1) shall apply to (A)
2 any building or site permit issued for Removal of an Unauthorized Unit on or after March 1,
3 2016, and (B) any permit issued for Removal of an Unauthorized Unit prior to March 1, 2016
4 that has been suspended by the City or in which the applicant's rights have not vested.

5 ~~(23) The Removal of a Residential or Unauthorized Unit that has received approval~~
6 ~~from the Planning Department through administrative approval or the Planning Commission through a~~
7 ~~Discretionary Review or Conditional Use authorization prior to the effective date of the Conditional~~
8 ~~Use requirement of Subsection (c)(1) is not required to apply for an additional approval under~~
9 ~~Subsection (c)(1).~~

10 ~~(34) The Removal of an Unauthorized Unit does not require a Conditional Use~~
11 ~~authorization pursuant to Subsection (c)(1) if the Department has determined that there is no legal path~~
12 ~~for legalization.~~

13 (5) The Demolition of a Single-Family Residential Building that meets the
14 requirements of Section (d)(3) below may be approved by the Department without requiring a
15 Conditional Use authorization.

16 (d) **Demolition.**

17 (1) No permit to Demolish a Residential Building in any zoning district shall
18 be issued until a building permit for the replacement structure is finally approved, unless the
19 building is determined to pose a serious and imminent hazard as defined in the Building Code.
20 A building permit is finally approved if the Board of Appeals has taken final action for approval
21 on an appeal of the issuance or denial of the permit or if the permit has been issued and the
22 time for filing an appeal with the Board of Appeals has lapsed with no appeal filed.

23 (2) ~~If~~ Conditional Use authorization is required for approval of the permit for
24 Residential Demolition ~~by other sections of this Code, and~~ the Commission shall consider the
25 replacement structure as part of its decision on the Conditional Use application. If Conditional

1 Use authorization is required for the replacement structure by other sections of this Code, the
2 Commission shall consider the demolition as part of its decision on the Conditional Use
3 application. *In either case, Mandatory Discretionary Review is not required, although the Commission*
4 *shall apply appropriate criteria adopted under this Section 317 in addition to the criteria in Section*
5 *303 of the Planning Code in its consideration of Conditional Use authorization. If neither permit*
6 *application is subject to Conditional Use authorization, then separate Mandatory Discretionary Review*
7 *cases shall be heard to consider the permit applications for the demolition and the replacement*
8 *structure.*

9 (3) For those applications for a Residential Demolition in districts that require
10 Mandatory Discretionary Review, administrative review criteria shall ensure that only a
11 single-family residential building that is demonstrably not
12 affordable or financially accessible housing, or residential buildings of two units or fewer that are
13 found to be unsound housing, is exempt from the Conditional Use authorization requirement of
14 Section (c)(1). Mandatory Discretionary Review hearings. Specific numerical criteria for such
15 analyses shall be adopted by the Planning Commission in the Code Implementation
16 Document, in accordance with this Section 317, and shall be adjusted periodically by the
17 Zoning Administrator based on established economic real estate and construction indicators.

18 (A) The Planning Commission shall determine a level of affordability or
19 financial accessibility, such that single-family residential buildings on sites in RH-1 and RH-
20 1(D) districts that are demonstrably not affordable or financially accessible, that is, housing
21 that has a value greater than at least 80% of the combined land and structure values of
22 single-family homes in San Francisco as determined by a credible appraisal, made within six
23 months of the application to demolish, are not subject to a Conditional Use hearing. The
24 demolition and replacement building applications shall undergo notification as required by
25 other sections of this Code. The Planning Commission, in the Code Implementation

1 Document, may increase the numerical criterion in this Subsection by up to 10% of its value
2 should it deem that adjustment is necessary to implement the intent of this Section 317, to
3 conserve existing housing and preserve affordable housing.

4 (B) The Planning Commission, in the Code Implementation Document,
5 shall adopt criteria and procedures for determining the soundness of a structure proposed for
6 demolition, where "soundness" is an economic measure of the feasibility of upgrading a
7 residence that is deficient with respect to habitability and Housing Code requirements, due to
8 its original construction. The "soundness factor" for a structure shall be the ratio of a
9 construction upgrade cost (i.e., an estimate of the cost to repair specific habitability
10 deficiencies) to the replacement cost (i.e., an estimate of the current cost of building a
11 structure the same size as the existing building proposed for demolition), expressed as a
12 percent. A building is unsound if its soundness factor exceeds 50%. A Residential Building
13 that is unsound may be approved for demolition.

14 *(C) — The Planning Commission shall consider the following additional criteria*
15 *in the review of applications for Residential Demolition:*

16 *(i) — whether the property is free of a history of serious, continuing*
17 *Code violations;*

18 *(ii) — whether the housing has been maintained in a decent, safe, and*
19 *sanitary condition;*

20 *(iii) — whether the property is an "historical resource" under CEQA;*

21 *(iv) — whether the removal of the resource will have a substantial*
22 *adverse impact under CEQA;*

23 *(v) — whether the project converts rental housing to other forms of*
24 *tenure or occupancy;*

1 (vi) — whether the project removes rental units subject to the Rent
2 Stabilization and Arbitration Ordinance or affordable housing;

3 (vii) — whether the project conserves existing housing to preserve
4 cultural and economic neighborhood diversity;

5 (viii) — whether the project conserves neighborhood character to
6 preserve neighborhood cultural and economic diversity;

7 (ix) — whether the project protects the relative affordability of existing
8 housing;

9 (x) — whether the project increases the number of permanently
10 affordable units as governed by Section 415;

11 (xi) — whether the project locates in-fill housing on appropriate sites in
12 established neighborhoods;

13 (xii) — whether the project increases the number of family-sized units on-
14 site;

15 (xiii) — whether the project creates new supportive housing;

16 (xiv) whether the project is of superb architectural and urban design,
17 meeting all relevant design guidelines, to enhance existing neighborhood character;

18 (xv) — whether the project increases the number of on-site dwelling
19 units;

20 (xvi) — whether the project increases the number of on-site bedrooms.

21 (4) (3) Nothing in this Section is intended to permit Residential Demolition in
22 those areas of the City where other sections of this Code prohibit such demolition or
23 replacement structure.

24 (5) (4) Nothing in this Section is intended to exempt buildings or sites where
25 demolition is proposed from undergoing review with respect to Articles 10 and 11 of the

1 Planning Code, where the requirements of those articles apply. Notwithstanding the definition
2 of "Residential Demolition" in this section and as further described in the Code
3 Implementation Document with regard to Residential Demolition, the criteria of Section 1005
4 shall apply to projects subject to review under the requirements of Article 10 with regard to the
5 structure itself.

6 (e) **Conversion to Student Housing.** The conversion of Residential Units to Student
7 Housing is prohibited. For the purposes of this subsection, Residential Units that have been defined as
8 such by the time a First Certificate of Occupancy has been issued by the Department of Building
9 Inspection for new construction shall not be converted to Student Housing.

10 (f) **Residential Merger.** The Merger of Residential Units, not otherwise subject to
11 Conditional Use authorization by this Code, shall be prohibited.

12 (g) **Conditional Use Criteria.**

13 (1) **C-3 Districts.** When considering whether to grant Conditional Use authorization
14 for the loss or Removal of Residential or Unauthorized Unit(s) in the C-3 districts, in lieu of the criteria
15 set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the
16 public health, safety, and general welfare of the loss of housing stock in the district and to any
17 unreasonable hardship to the applicant if the permit is denied.

18 * * * *

19 ~~(e)~~ (2) **Residential Merger.**

20 (1) — The Merger of Residential Units, not otherwise subject to Conditional Use
21 authorization by this Code., shall be prohibited, unless the Planning Commission approves the building
22 permit application at a Mandatory Discretionary Review hearing, applying the criteria in subsection
23 (2) below, or the project qualifies for administrative approval and the Planning Department approves
24 the project administratively in accordance with subsection (3) below.

1 ~~(2)~~ The Planning Commission shall consider the following criteria in the
2 review of applications to merge Residential Units or Unauthorized Units:

3 (A) whether removal of the unit(s) would eliminate only owner
4 occupied housing, and if so, for how long the unit(s) proposed to be removed have been
5 owner occupied;

6 (B) whether removal of the unit(s) and the merger with another is
7 intended for owner occupancy;

8 (C) whether ~~the~~ removal of the unit(s) will remove an affordable
9 housing unit as defined in Section 401 415 of this Code or housing subject to the Residential
10 Rent Stabilization and Arbitration Ordinance;

11 ~~(D) — whether removal of the unit(s) will bring the building closer into~~
12 ~~conformance with prescribed zoning;~~

13 ~~(E) — (D)~~ if removal of the unit(s) removes an affordable housing unit as
14 defined in Section 401 of this Code or units subject to the Residential Rent Stabilization and
15 Arbitration Ordinance, whether replacement housing will be provided which is equal or greater
16 in size, number of bedrooms, affordability, and suitability to households with children to the
17 units being removed;

18 ~~(E)~~ how recently the unit being removed was occupied by a tenant or tenants;

19 (F) whether the number of bedrooms provided in the merged unit will
20 be equal to or greater than the number of bedrooms in the separate units;

21 (G) whether removal of the unit(s) is necessary to correct design or
22 functional deficiencies that cannot be corrected through interior alterations;

23 ~~(H)~~ the appraised value of the least expensive Residential Unit proposed for
24 merger only when the merger does not involve an Unauthorized Unit.

1 ~~(3)~~ *Administrative review criteria shall ensure that only those Residential Units*
2 *proposed for Merger that are demonstrably not affordable or financially accessible housing are exempt*
3 *from Mandatory Discretionary Review hearings. Applications for which the least expensive unit*
4 *proposed for merger has a value greater than at least 80% of the combined land and structure values*
5 *of single family homes in San Francisco, as determined by a credible appraisal, made within six*
6 *months of the application to merge, are not subject to a Mandatory Discretionary Review hearing. The*
7 *Planning Commission, in the Code Implementation Document, may increase the numerical criterion in*
8 *this subsection by up to 10% of its value should it deem that adjustment is necessary to implement the*
9 *intent of this Section 317, to conserve existing housing and preserve affordable housing.*

10 ~~(4)~~ The Planning Commission shall not approve an application for Residential
11 ~~m~~Merger if any tenant has been evicted pursuant to Administrative Code Sections 37.9(a)(9)
12 through 37.9(a)(14) where the tenant was served with a notice of eviction after December 10,
13 2013 if the notice was served within ~~ten~~ (10) years prior to filing the application for merger.
14 Additionally, the Planning Commission shall not approve an application for Residential
15 ~~m~~Merger if any tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8)
16 where the tenant was served with a notice of eviction after December 10, 2013 if the notice
17 was served within five (5) years prior to filing the application for merger. This Subsection ~~(e)(4)~~
18 (g)(2)(H) shall not apply if the tenant was evicted under Section 37.9(a)(11) or 37.9(a)(14) and
19 the applicant(s) either (A) have certified that the original tenant reoccupied the unit after the
20 temporary eviction or (B) have submitted to the Planning Commission a declaration from the
21 property owner or the tenant certifying that the property owner or the Rent Board notified the
22 tenant of the tenant's right to reoccupy the unit after the temporary eviction and that the tenant
23 chose not to reoccupy it.

24 ~~(f)~~ (3) **Residential Conversion.**

1 (1) ~~Residential Conversion not otherwise prohibited or subject to Conditional Use~~
2 ~~authorization by this Code, shall be prohibited, unless the Planning Commission approves the building~~
3 ~~permit application at a Mandatory Discretionary Review hearing, or is exempted from such approval~~
4 ~~as provided in subsections (f)(3) or (4) below. The conversion of Residential Units to Student Housing~~
5 ~~is prohibited. For the purposes of this subsection, Residential Units that have been defined as such by~~
6 ~~the time a First Certificate of Occupancy has been issued by the Department of Building Inspection for~~
7 ~~new construction shall not be converted to Student Housing.~~

8 (2) The Planning Commission shall consider the following criteria in the
9 review of applications for Residential Conversion Conversation;

10 (A) whether conversion of the unit(s) would eliminate only owner
11 occupied housing, and if so, for how long the unit(s) proposed to be removed were owner
12 occupied;

13 (B) whether Residential Conversion Conversation would provide
14 desirable new ~~Non-Residential~~ Use(s) appropriate for the neighborhood and adjoining
15 district(s);

16 (C) in districts where Residential Uses are not permitted, whether
17 Residential Conversion will bring the building closer into conformance with the Uses
18 permitted in the zoning district;

19 (D) whether conversion of the unit(s) will be detrimental to the City's
20 housing stock;

21 (E) whether conversion of the unit(s) is necessary to eliminate design,
22 functional, or habitability deficiencies that cannot otherwise be corrected;

23 (F) whether the Residential Conversion will remove Affordable
24 Housing, or units subject to the Residential Rent Stabilization and Arbitration Ordinance.

25 * * * *

1 (4) Residential Demolition. *The Planning Commission shall consider the following*
2 *additional criteria in the review of applications for Residential Demolition:*

3 (A) whether the property is free of a history of serious, continuing Code
4 violations;

5 (B) whether the housing has been maintained in a decent, safe, and sanitary
6 condition;

7 (C) whether the property is an "historical resource" under CEQA;

8 (D) whether the removal of the resource will have a substantial adverse
9 impact under CEQA;

10 (E) whether the project converts rental housing to other forms of tenure or
11 occupancy;

12 (F) whether the project removes rental units subject to the Residential Rent
13 Stabilization and Arbitration Ordinance or affordable housing;

14 (G) whether the project conserves existing housing to preserve cultural and
15 economic neighborhood diversity;

16 (H) whether the project conserves neighborhood character to preserve
17 neighborhood cultural and economic diversity;

18 (I) whether the project protects the relative affordability of existing housing;

19 (J) whether the project increases the number of permanently affordable units as
20 governed by Section 415;

21 (K) whether the project locates in-fill housing on appropriate sites in
22 established neighborhoods;

23 (L) whether the project increases the number of family-sized units on-site;

24 (M) whether the project creates new supportive housing;

1 (N) whether the project is of superb architectural and urban design, meeting
2 all relevant design guidelines, to enhance existing neighborhood character;

3 (O) whether the project increases the number of on-site Dwelling Units;

4 (P) whether the project increases the number of on-site bedrooms.

5 (Q) whether or not the replacement project would maximize density on the
6 subject lot; and

7 (R) if replacing a building not subject to the Residential Rent Stabilization
8 and Arbitration Ordinance, whether the new project replaces all of the existing units with new
9 Dwelling Units of a similar size and with the same number of bedrooms.

10 (5) **Removal of Unauthorized Units.** In addition to the criteria set forth in
11 subsections (g)(1) through (g)(4) above, the Planning Commission shall consider the criteria below in
12 the review of applications for removal of Unauthorized Units:

13 (A) whether the Unauthorized Unit or Units are eligible for legalization
14 under Section 207.3 of this Code;

15 (B) whether the costs to legalize the Unauthorized Unit or Units under the
16 Planning, Building, and other applicable Codes is reasonable based on how such cost compares to the
17 average cost of legalization per unit derived from the cost of projects on the Planning Department's
18 Master List of Additional Dwelling Units Approved required by Section 207.3(k) of this Code;

19 (C) whether it is financially feasible to legalize the Unauthorized Unit or
20 Units. Such determination will be based on the costs to legalize the Unauthorized Unit(s) under the
21 Planning, Building, and other applicable Codes in comparison to the added value that legalizing said
22 Units would provide to the subject property. The gain in the value of the subject property shall be based
23 on the current value of the property with the Unauthorized Unit(s) compared to the value of the
24 property if the Unauthorized Unit(s) is/are legalized. The calculation of the gain in value shall be
25 conducted and approved by a California licensed property appraiser. Legalization would be deemed

1 financially feasible if gain in the value of the subject property is equal to or greater than the cost to
2 legalize the Unauthorized Unit.

3 (6) **Denial of Application to Remove an Unauthorized Unit; Requirement to**
4 **Legalize the Unit.** If the Planning Commission denies an application to Remove an Unauthorized Unit,
5 the property owner shall file an application for a building permit to legalize the Unit. Failure to do so
6 within a reasonable period of time, as determined by the Zoning Administrator, shall be deemed to be a
7 violation of the Planning Code.

8 (h) **Notice of Conditional Use Hearing.** At least twenty days prior to any hearing to
9 consider a Conditional Use authorization under Subsection (g)(2), (g)(3), g(4), or (g)(5), the Zoning
10 Administrator shall cause a written notice containing the following information to be mailed to all
11 Residential Units and if known any Unauthorized Units in the building, in addition to any other notice
12 required under this Code:

13 (1) Notice of the time, place, and purpose of the hearing; and

14 (2) An explanation of the process for demolishing, merging, or converting Residential
15 Units or Unauthorized Units, including a description of subsequent permits that would be required
16 from the Planning Department and Department of Building Inspection and how they could be appealed.

17 ~~(g)~~ (i) **Exemptions.** This Section 317 shall not apply to property:

18 (1) Owned by the United States or any of its agencies;

19 (2) Owned by the State of California or any of its agencies, with the
20 exception of such property not used exclusively for a governmental purpose;

21 (3) Under the jurisdiction of the Port of San Francisco or the Successor
22 Agency to the Redevelopment Agency of the City and County ~~of~~ where the application of this
23 Section is prohibited by State or local law; or

24 (4) Where demolition of the building or Removal of a Residential Unit or
25 Unauthorized Unit is necessary to comply with a court order or City order that directs the

owner to demolish the building or remove the unit, due to conditions that present an imminent threat to life safety.

Section 3. The Planning Code is hereby amended by revising Zoning Control Tables 209.1, 209.2, 209.3, 209.4, 210.1, 210.2, 210.3, 210.4, to read as follows:

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

<i>Zoning Category</i>	<i>§ References</i>	<i>RH-1(D)</i>	<i>RH-1</i>	<i>RH-1(S)</i>	<i>RH-2</i>	<i>RH-3</i>
RESIDENTIAL STANDARDS AND USES						
Development Standards						
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 300 square feet if private, and 400 square feet if common.	At least 300 square feet if private, and 400 square feet if common.	At least 300 square feet for the first unit and 100 for the minor second unit if private, and 400 square feet for the first unit and 133 square feet for the second unit if common.	At least 125 square feet if private, and 166 square feet if common.	At least 100 square feet if private, and 133 square feet if common.

1 2	Parking Requirements	§§ 151, 161	Generally, a minimum of one space for every <i>dD</i> welling <i>#U</i> nit required. Certain exceptions permitted per § 161.
3 4 5 6 7	Residential Conversion, Demolition, or Merger	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i> <i>Loss of 1-2 units Mandatory DR/Loss of 3 or more units C.</i>
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**Table 209.2
ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4

RESIDENTIAL STANDARDS AND USES					
Development Standards					
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 100 square feet if private, and 133 square feet per <i>dD</i> welling <i>#U</i> nit if common.	At least 80 square feet if private, and 106 square feet per <i>dD</i> welling <i>#U</i> nit if common.	At least 60 square feet if private and 80 square feet per <i>dD</i> welling <i>#U</i> nit if common.	At least 36 square feet if private, and 48 square feet per <i>dD</i> welling <i>#U</i> nit if common.

1 2	Parking Requirements	§§ 151, 161	Generally one space for every <i>d</i> Dwelling <i>u</i> Unit minimum. Certain exceptions permitted per § 161.
3 4 5 6	Residential Conversion, Demolition, or Merger	§ 317	<u><i>C for Removal of one or more Residential Units or Unauthorized Units.</i></u> <i>Loss of 1-2 units mandatory DR/Loss of 3 or more C.</i>
7	****		

**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>

RESIDENTIAL STANDARDS AND USES			
Development Standards			
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 60 square feet if private, and 80 square feet per <i>d</i> Dwelling <i>u</i> Unit if common.	At least 36 square feet if private, and 48 square feet per <i>d</i> Dwelling <i>u</i> Unit if common.
Parking Requirements	§ 151.1	None Required. Up to one space for every two units permitted, and up to three spaces for every four units permitted with Conditional Use per § 151.1.	

1 2 3 4	Residential Conversion, Demolition, or Merger	§ 317	<i>Loss of 2 units or fewer DR/Loss of 3 or more C for Removal of one or more Residential Units or Unauthorized Units.</i>
5 6	****	****	****

7 **Table 209.4**
8 **ZONING CONTROL TABLE FOR RTO DISTRICTS**

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10 11	<i>Zoning Category</i>	<i>§ References</i>	<i>RTO</i>	<i>RTO-M</i>
12	RESIDENTIAL STANDARDS AND USES			
13	Development Standards			
14 15 16 17	Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 100 square feet if private, and 133 square feet per d Dwelling u Unit if common.	
18 19	Parking Requirements	§ 151.1, 151.1	None required. Maximum permitted per § 151.1	
20 21 22 23 24 25	Residential Conversion, Demolition, or Merger	§ 317	<i>Loss of 2 units or fewer DR/Loss of 3 or more C for Removal of one or more Residential Units.</i>	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>

		<u>Units or Unauthorized</u>	
		<u>Units.</u>	

**Table 210.1
ZONING CONTROL TABLE FOR C-2 DISTRICTS**

<i>Zoning Category</i>	<i>§ References</i>	<i>C-2</i>

RESIDENTIAL STANDARDS AND USES		
Development Standards		
Usable Open Space for Dwelling Units and Group Housing	§ 135	Same as for the R District establishing the dwelling unit density ratio for the property. Group Housing requirement is 1/3 the amount required for a Dwelling Unit.
Residential Parking Requirements	§ 151, 161	Generally one space per Dwelling Unit. Exceptions permitted per § 161. None required in the Washington-Broadway Special Use District.
Rear Yard Setback	§§ 130, 134	25% of the total depth lot depth, but in no case less than 15 feet. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building.
Residential Conversion, Demolition, or Merger	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u> <u>Loss of 2 units or fewer DR/Loss of 3 or more C.</u>

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3 **Table 210.2**
4 **ZONING CONTROL TABLE FOR C-3 DISTRICTS**

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<i>Zoning Category</i>	<i>§ References</i>	<i>C-3-O</i>	<i>C-3-O(SD)</i>	<i>C-3-R</i>	<i>C-3-G</i>	<i>C-3-S</i>

RESIDENTIAL STANDARDS AND USES						
Development Standards						
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 36 square feet if private, and 48 square feet per <i>d</i> Dwelling <i>#</i> Unit if common.				
Residential Parking Requirements	§§ 150, 151.1, 161	None required. P up to one car for each two Dwelling Units; C up to three cars for each four Dwelling Units. NP above.				
Rear Yard Setback	§§ 130, 134	25% of the total depth lot depth, but in no case less than 15 feet for lowest story containing a dwelling unit and each succeeding story. Exceptions are permitted by § 309.				
Residential Conversion, Demolition, or Merger	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units; in C-3, C only for Removal above the ground floor. Loss of 1-2 units mandatory DR/Loss of 3 or more units C.</i>				

**Table 210.3
ZONING CONTROL TABLE FOR PDR DISTRICTS**

<i>Zoning Category</i>	<i>§ References</i>	<i>PDR-1-B</i>	<i>PDR-1-D</i>	<i>PDR-1-G</i>	<i>PDR-2</i>

RESIDENTIAL STANDARDS AND USES					
Development Standards					
Usable Open Space [Per Dwelling Unit]	§§ 135, 136	N/A	N/A	N/A	N/A
Residential Parking Requirements	§§ 151.1, 161	N/A	N/A	N/A	N/A
Residential Conversion, Demolition, or Merger	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units; in C-3, only for Removal above the ground floor.. Loss of 1-2 units mandatory DR/Loss of 3 or more units C.</i>			

**Table 210.4
ZONING CONTROL TABLE FOR M DISTRICTS**

<i>Zoning Category</i>	<i>§ References</i>	<i>M-1</i>	<i>M-2</i>

RESIDENTIAL STANDARDS AND USES			
Development Standards			

1 2 3 4 5 6 7 8 9 10 11 12 13 14	Usable Open Space [Per Dwelling Unit]	§§ 135, 136	At least 36 square feet if private, and 48 square feet per d Dwelling u Unit if public.
	Residential Parking Requirements	§§ 151, 161	None required. P up to one space for every two units. C up to three spaces for every four units. NP above.
	Rear Yard Setback	§§ 130, 134	25 percent of the total depth lot depth, but in no case less than 15 feet.
	Residential Conversion, Demolition, or Merger	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u> <u>Loss of 1-2 units mandatory DR/Loss of 3 or more units C.</u>

Section 4. The Planning Code is hereby amended by revising Zoning Control Tables 710 through 748 and 810 through 818, to read as follows:

Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1 ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NC-1 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
710.36	<i>Residential Conversion</i>	§ 317	<i>P</i>		
710.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	<i>C</i>	<i>C</i>

RESIDENTIAL STANDARDS AND USES					

710.96	<i>Removal of Residential and Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
****	****	****	****		

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NC-2 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
711.36	<i>Residential Conversion</i>	§ 317	P	C	
711.37	<i>Residential Demolition</i>	§ 317	P	C	C

RESIDENTIAL STANDARDS AND USES					

711.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP

	<i>Removal of Residential or</i>		<u>C</u>
711.97	<i>Unauthorized Units through</i>	<u>§ 317</u>	
	<i>Demolition, or Merger</i>		
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Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3 ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NC-3 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
712.36	<i>Residential Conversion</i>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C#</u>
712.37	<i>Residential Demolition</i>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES

712.96	<i>Removal of Residential or</i> <i>Unauthorized Units through</i> <i>Conversion, Demolition, or</i> <i>Merger</i>	<u>§ 317</u>	<u>C</u>		
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**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NC-S Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
713.36	<i>Residential Conversion</i>	§ 317	<i>P</i>		
713.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	€	€

RESIDENTIAL STANDARDS AND USES

RESIDENTIAL STANDARDS AND USES					

713.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<i>C</i>	<i>NP</i>	<i>NP</i>
713.97	<i>Removal of Residential or Unauthorized Units through Demolition, or Merger</i>	§ 317	<i>C</i>		
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**Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Broadway Controls by Story
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		§ 790.118	1st	2nd	3rd+
714.36	<i>Residential Conversion</i>	§ 317	P	€	
714.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES					

714.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
714.97	<i>Residential Conversion, Demolition, or Merger</i>	§ 317	C		
****	****	****	****		

Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Castro Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
715.36	<i>Residential Conversion</i>	§ 317	P	€	
715.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES					

1		<i>Removal of Residential or</i>				
2	715.96	<i>Unauthorized Units through</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
3		<i>Conversion</i>				
4		<i>Removal of Residential or</i>				
5	715.97	<i>Unauthorized Units through</i>	<u>§ 317</u>	<u>C</u>		
6		<i>Conversion,, Demolition, or</i>				
7		<i>Merger</i>				
8	****	****	****	****		
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Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Inner Clement Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
716.36	<i>Residential Conversion</i>	<u>§ 317</u>	<u>P</u>		
716.37	<i>Residential Demolition</i>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES					

	<i>Removal of Residential or</i>				
716.96	<i>Unauthorized Units through</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<i>Conversion</i>				

1		<i>Removal of Residential or</i>		
2		<i>Unauthorized Units through</i>		<u>C</u>
3	716.97	<i>Conversion, Demolition, or</i>	<u>§ 317</u>	
4		<i>Merger</i>		
5	****	****	****	****

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Outer Clement Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
717.36	<i>Residential Conversion</i>	<u>§ 317</u>	<u>P</u>		
717.37	<i>Residential Demolition</i>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES

17	****				
18		<i>Removal of Residential or</i>			
19		<i>Unauthorized Units through</i>			
20	717.96	<i>Conversion</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>
21					
22		<i>Removal of Residential or</i>			
23		<i>Unauthorized Units through</i>			
24	717.97	<i>Conversion, Demolition, or</i>	<u>§ 317</u>	<u>C</u>	
25		<i>Merger</i>			

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Upper Fillmore Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
718.36	<i>Residential Conversion</i>	§ 317	<i>P</i>	<i>€</i>	
718.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	<i>€</i>	<i>€</i>

RESIDENTIAL STANDARDS AND USES

718.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<i>C</i>	<i>C</i>	<i>NP</i>
718.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<i>C</i>		
****	****	****	****		

**Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Haight Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
719.36	<i>Residential Conversion</i>	§ 317	P		
719.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES

719.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	NP	NP
719.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
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**Table 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Hayes-Gough Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
720.36	<i>Residential Conversion</i>	§ 317	C	C	
720.37	<i>Residential Demolition</i>	§ 317	C	C	C
720.38	<i>Residential Division</i>	§ 207.8	P	P	P

RESIDENTIAL STANDARDS AND USES					

720.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
720.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
720.98	<i>Residential Division</i>	§ 207.8	P	P	P
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**Table 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Upper Market Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
721.36	<i>Residential Conversion</i>	§ 317	C	C	
721.37	<i>Residential Demolition</i>	§ 317	C	C	C
721.38	<i>Residential Division</i>	§ 207.8	P	P	P
721.39	<i>Residential merger</i>	§ 317	C	C	C

RESIDENTIAL STANDARDS AND USES

721.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
721.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
721.98	<i>Residential Division</i>	§ 207.8	P	P	P
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Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	North Beach Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
722.36	<i>Residential Conversion</i>	§ 317	P		
722.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES

722.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	NP	NP
722.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
****	****	****	****		

Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Polk Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
723.36	<i>Residential Conversion</i>	§ 317	P	€	
723.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES

723.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>		C	C	NP
723.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
****	****	****	****		

Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Sacramento Street Controls by Story
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		§ 790.118	1st	2nd	3rd+
724.36	<i>Residential Conversion</i>	§ 317	P		
724.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES					

724.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>		C	NP	NP
724.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C for Removal of one or more Residential Units or Unauthorized Units.		
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Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Union Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118	1st	2nd	3rd+
725.36	<i>Residential Conversion</i>	§ 317	P	€	€
725.37	<i>Residential Demolition</i>	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES					

725.96	<u>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</u>	<u>§ 317</u>	<u>Cf</u>		
****	****	****	****		

Table 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Valencia Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
726.36	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>		
726.37	<u>Residential Demolition</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
726.38	<u>Residential Division</u>	<u>§ 207.8</u>	<u>P</u>	<u>P</u>	<u>P</u>
726.39	<u>Residential Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES					

726.96	<u>Removal of Residential or Unauthorized Units through Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

1		<i>Removal of Residential or</i>			
2		<i>Unauthorized Units through</i>		<u>C</u>	
3	<u>726.97</u>	<i>Conversion, Demolition, or</i>	<u>§ 317</u>		
4		<i>Merger</i>			
5	<u>726.98</u>	<i>Residential Division</i>	<u>§ 207.8</u>	<u>P</u>	<u>P</u>
6					<u>P</u>
7	****	****	****	****	****

Table 727. 24th STREET - MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	24th Street – Mission Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
<u>727.36</u>	<i>Residential Conversion</i>	<u>§ 317</u>	<u>C</u>		
<u>727.37</u>	<i>Residential Demolition</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>727.38</u>	<i>Residential Division</i>	<u>§ 207.8</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>727.39</u>	<i>Residential Merger</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES

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22		<i>Removal of Residential or</i>			
23	<u>727.96</u>	<i>Unauthorized Units through</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>
24		<i>Conversion</i>			<u>NP</u>

1	<u>727.97</u>	<u>Removal of Residential or</u>	<u>§ 317</u>	<u>C</u>		
2		<u>Unauthorized Units through</u>				
3		<u>Conversion, Demolition, or</u>				
4		<u>Merger</u>				
5	<u>727.98</u>	<u>Residential Division</u>	<u>§ 207.8</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	****	****	****	****		

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	24th Street – Noe Valley Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
<u>728.36</u>	<u>Residential Conversion</u>	<u>§ 317</u>	<u>P</u>		
<u>728.37</u>	<u>Residential Demolition</u>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>

RESIDENTIAL STANDARDS AND USES

18	****				
19					
20	<u>728.96</u>	<u>Removal of Residential or</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>
21		<u>Unauthorized Units through</u>			
22		<u>Conversion</u>			
23	<u>728.97</u>	<u>Removal of Residential or</u>	<u>§ 317</u>	<u>C</u>	
24		<u>Unauthorized Units through</u>			

	<u>Conversion, Demolition, or</u>		
	<u>Merger</u>		
****	****	****	****

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	West Portal Avenue Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
729.36	Residential Conversion	§ 317	P		
729.37	Residential Demolition	§ 317	P	€	€

RESIDENTIAL STANDARDS AND USES

	<u>Removal of Residential or</u>				
729.96	Unauthorized Units through	§ 317	C	NP	NP
	Conversion				
	<u>Removal of Residential or</u>				
729.97	Unauthorized Units through	§ 317	C		
	Conversion, Demolition, or				
	Merger				
****	****	****	****	****	****

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Inner Sunset Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
730.36	<i>Residential Conversion</i>	§ 317	<i>P</i>		
730.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	€	€

RESIDENTIAL STANDARDS AND USES

730.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<i>C</i>	<i>NP</i>	<i>NP</i>
730.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<i>C</i>		
****	****	****	****		

**Table 731. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT
DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NCT-3 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
731.36	<i>Residential Conversion</i>	§ 317	C	C	C
731.37	<i>Residential Demolition</i>	§ 317	C	C	C
731.38	<i>Residential Division</i>	§ 207.8	P	P	P
731.39	<i>Residential Merger</i>	§ 317	C	C	C

RESIDENTIAL STANDARDS AND USES

RESIDENTIAL STANDARDS AND USES					

731.96	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
731.97	<i>Residential Division</i>	§ 207.8	P	P	P
****	****	****	****		

**Table 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Pacific Avenue Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
732.36	<i>Residential Conversion</i>	§ 317	€		
732.37	<i>Residential Demolition</i>	§ 317	€		€

RESIDENTIAL STANDARDS AND USES

732.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	NP	NP
732.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
****	****	****	****		

Table 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Upper Market Street Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
733.36	<i>Residential Conversion</i>	§ 317	€	€	
733.37	<i>Residential Demolition</i>	§ 317	€	€	€
733.38	<i>Residential Division</i>	§ 207.8	P	P	P
733.39	<i>Residential Merger</i>	§ 317	€	€	€

RESIDENTIAL STANDARDS AND USES

733.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
733.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>		
733.98	<i>Residential Division</i>	§ 207.8	P	P	P
****	****	****	****		

Table 733A. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT
NCT-1 ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NCT-1 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
733A.36	<i>Residential Conversion</i>	§ 317	<i>P</i>		
733A.37	<i>Residential Demolition</i>	§ 317	<i>€</i>	<i>€</i>	<i>€</i>
733A.38	<i>Residential Division</i>	§ 207.8	<i>P</i>	<i>P</i>	<i>P</i>
733A.39	<i>Residential Merger</i>	§ 317	<i>€</i>	<i>€</i>	<i>€</i>

RESIDENTIAL STANDARDS AND USES

733A.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<i>C</i>	<i>NP</i>	<i>NP</i>
733A.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<i>C</i>		
733A.98	<i>Residential Division</i>	§ 207.8	<i>P</i>	<i>P</i>	<i>P</i>
****	****	****	****		

**Table 734. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
NCT-2 ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	NCT-2 Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
734.36	<i>Residential Conversion</i>	§ 317	C	C	
734.37	<i>Residential Demolition</i>	§ 317	C	C	C
734.38	<i>Residential Division</i>	§ 207.8	P	P	P
734.39	<i>Residential Merger</i>	§ 317	C	C	C

RESIDENTIAL STANDARDS AND USES

734.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>		C	C	NP
734.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
734.98	<i>Residential Division</i>	§ 207.8	P	P	P
****	****	****	****		

Table 735. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	SoMa Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
735.36	<i>Residential Conversion</i>	§ 317	C	C	
735.37	<i>Residential Demolition</i>	§ 317	C	C	C
735.38	<i>Residential Division</i>	§ 207.8	P	P	P
735.39	<i>Residential Merger</i>	§ 317	C	C	C

RESIDENTIAL STANDARDS AND USES

735.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
735.96	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
735.97	<i>Residential Division</i>	§ 207.8	P	P	P
****	****	****	****		

1 **Table 736. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
 2 **DISTRICT ZONING CONTROL TABLE**

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4 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

5 No.	6 Zoning Category	7 § References	8 Mission Street Transit Controls by Story		
			9 1st	10 2nd	11 3rd+
		§ 790.118			
736.36	<i>Residential Conversion</i>	§ 317	€	€	€
736.37	<i>Residential Demolition</i>	§ 317	€	€	€
736.38	<i>Residential Division</i>	§ 207.8	P	P	P
736.39	<i>Residential Merger</i>	§ 317	€	€	€

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13 RESIDENTIAL STANDARDS AND USES					
14 * * * *					
15 736.96	<i>Residential Conversion,</i> <i>Demolition, or Merger</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>		
16 736.97	<i>Residential Division</i>	§ 207.8	P	P	P

17 **Table 737. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 18 **ZONING CONTROL TABLE**

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20 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

21 No.	22 Zoning Category	23 § References	24 Ocean Avenue Transit Controls by Story		
25					

		§ 790.118	1st	2nd	3rd+
737.36	<i>Residential Conversion</i>	§ 317	€	€	
737.37	<i>Residential Demolition</i>	§ 317	€	€	€
737.38	<i>Residential Division</i>	§ 207.8	P	P	P
737.39	<i>Residential Merger</i>	§ 317	€	€	€

RESIDENTIAL STANDARDS AND USES					

737.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	C	C	NP
737.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C		
737.98	<i>Residential Division</i>	§ 207.8	P	P	P

Table 738. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Glen Park Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
738.36	<i>Residential Conversion</i>	§ 317	€	€	

1	738.37	<i>Residential Demolition</i>	§ 317	€	€	€
2	738.38	<i>Residential Division</i>	§ 207.8	P	P	P
3	738.39	<i>Residential Merger</i>	§ 317	€	€	€

RESIDENTIAL STANDARDS AND USES					
6	****				
7		<i>Removal of Residential or</i>			
8	738.96	<i>Unauthorized Units through</i>	§ 317	C	C
9		<i>Conversion</i>			NP
10		<i>Removal of Residential or</i>			
11	738.97	<i>Unauthorized Units through</i>	§ 317	C	
12		<i>Conversion, Demolition, or</i>			
13		<i>Merger</i>			
14	738.98	<i>Residential Division</i>	§ 207.8	P	P
15					P

Table 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Noriega Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
21	739.36	<i>Residential Conversion</i>	P	€	
22	739.37	<i>Residential Demolition</i>	P	€	€

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RESIDENTIAL STANDARDS AND USES					

739.96	<u>Removal of Residential or Unauthorized Units through Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
739.97	<u>Residential Conversion, Demolition, or Merger</u>	<u>§ 317</u>	<u>C</u>		
*****	*****	*****	*****		

11 Table 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
12 ZONING CONTROL TABLE

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14 COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Irving Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
740.36	<u>Residential Conversion</u>	<u>§ 317</u>	<u>P</u>	<u>€</u>	
740.37	<u>Residential Demolition</u>	<u>§ 317</u>	<u>P</u>	<u>€</u>	<u>€</u>

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RESIDENTIAL STANDARDS AND USES					

740.96	<u>Removal of Residential or Unauthorized Units through Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>

1		<u>Removal of Residential or</u>		
2		<u>Unauthorized Units through</u>		<u>C</u>
3	740.97	<u>Conversion, Demolition, or</u>	<u>§ 317</u>	
4		<u>Merger</u>		
5	****	****	****	****

6 **Table 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
7 **ZONING CONTROL TABLE**

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9 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

10 No.	Zoning Category	§ References	Taraval Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
11 741.36	<u>Residential Conversion</u>	<u>§ 317</u>	<u>P</u>	<u>C</u>	
12 741.37	<u>Residential Demolition</u>	<u>§ 317</u>	<u>P</u>	<u>C</u>	<u>C</u>

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16 **RESIDENTIAL STANDARDS AND USES**

17 ****					
18 741.96	<u>Removal of Residential or</u> <u>Unauthorized Units through</u> <u>Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
19 741.97	<u>Removal of Residential or</u> <u>Unauthorized Units through</u> <u>Conversion, Demolition, or</u> <u>Merger</u>	<u>§ 317</u>	<u>C for Removal of one or more</u> <u>Residential Units or</u> <u>Unauthorized Units.</u>		

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Table 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Judah Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
742.36	<i>Residential Conversion</i>	§ 317	<i>P</i>	€	
742.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	€	€

RESIDENTIAL STANDARDS AND USES

RESIDENTIAL STANDARDS AND USES					

742.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<i>C</i>	<i>C</i>	<i>NP</i>
742.96	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<i>C</i>		
****	****	****	****	****	****

Table 743. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Folsom Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
743.37	<i>Residential Conversion</i>	§§ 207.7, 317, 790.84	€	€	
743.38	<i>Residential Demolition</i>	§§ 207.7, 317, 790.86	€	€	€
743.39	<i>Residential Division</i>	§ 207.8, 317	€	€	€

RESIDENTIAL STANDARDS AND USES

743.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>		<u>C</u>	<u>C</u>	<u>NP</u>
743.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<u>C</u>		
743.98	<i>Residential Division</i>	§ 207.8, 317	<u>C</u>	<u>C</u>	<u>C</u>
****	****	****	****		

**Table 744. REGIONAL COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Regional Commercial Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
744.37	<i>Residential Conversion</i>	§§ 207.7, 317, 790.84	€	€	
744.38	<i>Residential Demolition</i>	§§ 207.7, 317, 790.86	€	€	€
744.39	<i>Residential Division</i>	§ 207.8, 317	€	€	€

RESIDENTIAL STANDARDS AND USES

744.96	<i>Removal of Residential or Unauthorized Units through Conversion</i>	§ 317	<u>C</u>	<u>C</u>	<u>NP</u>
744.97	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	<u>C</u>		
744.98	<i>Residential Division</i>	§ 207.8	<u>C</u>	<u>C</u>	<u>C</u>
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**Table 745. EXCELSIOR OUTER MISSION STREET
NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Excelsior Outer Mission Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
745.36	<i>Residential Conversion</i>	§§ 317, 790.84	€	€	€
745.37	<i>Residential Demolition</i>	§§ 317, 790.86	€	€	€

RESIDENTIAL STANDARDS AND USES

RESIDENTIAL STANDARDS AND USES					

745.96	<i>Residential Conversion, Demolition, or Merger</i>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>		
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**Table 746. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT
DISTRICT ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Divisadero Street Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
746.36	<i>Residential Conversion</i>	§ 317	P	€	

1	746.37	<i>Residential Demolition</i>	§ 317	<i>P</i>	<i>€</i>	<i>€</i>
2	746.38	<i>Residential Division</i>	§ 207.8	<i>P</i>	<i>P</i>	<i>P</i>
3	746.39	<i>Residential Merger</i>	§ 317	<i>€</i>	<i>€</i>	<i>€</i>

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RESIDENTIAL STANDARDS AND USES					
6	* * * *				
7		<i>Removal of Residential or</i>			
8	746.96	<i>Unauthorized Units through</i>		<i>C</i>	<i>NP</i>
9		<i>Conversion</i>		<i>C</i>	
10					
11		<i>Removal of Residential or</i>		<i>C</i>	
12	746.97	<i>Unauthorized Units through</i>	§ 317		
13		<i>Conversion, Demolition, or</i>			
14		<i>Merger</i>			
15	746.98	<i>Residential Division</i>	§ 207.8	<i>P</i>	<i>P</i>
16	* * * *	* * * *	* * * *	* * * *	* * * *
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18 **Table 747. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
19 **DISTRICT ZONING CONTROL TABLE**

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21 **COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES**

No.	Zoning Category	§ References	Fillmore Street Transit Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
22	747.36	<i>Residential Conversion</i>	<i>P</i>	<i>NP</i>	<i>NP</i>
23	747.37	<i>Residential Demolition</i>	<i>P</i>	<i>€</i>	<i>€</i>

1	747.38	Residential Division	§ 207.8	<u>P</u>	<u>P</u>	<u>P</u>
2	747.39	Residential Merger	§ 317	<u>C</u>	<u>C</u>	<u>C</u>

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RESIDENTIAL STANDARDS AND USES						
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6	747.96	Removal of Residential or Unauthorized Units through Conversion		<u>C</u>	<u>NP</u>	<u>NP</u>
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9						
10	747.97	Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger	§ 317	<u>C</u>		
11						
12						
13						
14	747.98	Residential Division	§ 207.8	<u>P</u>	<u>P</u>	<u>P</u>
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17 Table 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

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19 COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

No.	Zoning Category	§ References	Japantown Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
23	748.36 Residential Conversion	§§ 317	<u>P</u>	<u>C</u>	<u>C</u>
24	748.37 Residential Demolition	§§ 317	<u>P</u>	<u>C</u>	<u>C</u>

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RESIDENTIAL STANDARDS AND USES					

748.96	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	<i>§ 317</i>	<i>C</i>		
****	****	****	****		

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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES

No.	Zoning Category	§ References	Chinatown Community Business Controls by Story		
			1st	2nd	3rd+
38a	<i>Residential Conversion, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
38b	<i>Residential Demolition, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
39a	<i>Residential Conversion</i>	<i>§ 317</i>			
39b	<i>Residential Demolition</i>	<i>§ 317</i>			

RESIDENTIAL STANDARDS AND USES

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1	<i>Residential Conversion or Demolition, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
2			<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	<i>§ 317</i>	<i>C</i>
3					
4	<i>****</i>	<i>****</i>	<i>****</i>	<i>****</i>	

**Table 811
CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES**

No.	Zoning Category	§ References	Chinatown Visitor Retail Controls by Story		
			1st	2nd	3rd+
<i>38a</i>	<i>Residential Conversion, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
<i>38b</i>	<i>Residential Demolition, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
<i>39a</i>	<i>Residential Conversion</i>	<i>§ 317</i>			
<i>39b</i>	<i>Residential Demolition</i>	<i>§ 317</i>			
RESIDENTIAL STANDARDS AND USES					
<i>****</i>					

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2	.97	<i>Residential Conversion or Demolition, Residential Hotels</i>	Ch. 41 Admin. Code		
3					
4	.98	<i>Removal of Residential or Unauthorized Units through Conversion, Demolition, or Merger</i>	§ 317	C	
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**Table 812
CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES

No.	Zoning Category	§ References	Chinatown Residential Neighborhood Commercial Controls by Story		
			1st	2nd	3rd+
.38a	<i>Residential Conversion, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
.38b	<i>Residential Demolition, Residential Hotels</i>	<i>Ch. 41 Admin. Code</i>			
.39a	<i>Residential Conversion</i>	§ 317			
.39b	<i>Residential Demolition</i>	§ 317			
RESIDENTIAL STANDARDS AND USES					

1		<i>Residential Conversion</i>	Ch. 41		
2	.97	<i>or Demolition,</i>	Admin. Code		
3		<i>Residential Hotels</i>			
4				<i>C for Removal of one or more Residential</i>	
5	.98	<i>Residential Conversion,</i>	§ 317	<i>Units or Unauthorized Units.</i>	
6		<i>Demolition, or Merger</i>			
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**Table 813
RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Residential Enclave Controls
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USE STANDARDS

13	****	****	****	****
14	813.04	Non-Residential Density <i>Limit</i>	§§ 102.9, 123, 124, 127	Generally, 1.0 to 1 floor area ratio
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16	****	****	****	****
17				
18	813.13	Residential Demolition <i>or</i>	§ 317	<i>C for Removal of one or more</i>
19		<i>Merger</i>		<i>Residential Units or</i>
20				<i>Unauthorized Units.</i>
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Table 814
SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	South Park District Controls
*****	*****	*****	*****
814.05	Non-Residential <u>Density Limit</u>	§§ 102-9, 123, 124, 127	Generally, 1.8 to 1 floor area ratio
*****	*****	*****	*****
814.12	Residential Conversion <u>or</u> <u>Merger</u>	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u>
814.13	Residential Demolition	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u>

Table 815
RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
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815.04	Non-Residential Density <u>Limit</u>	§§ 102- 9 , 123, 124, 127	Generally, 1.8 to 1 floor area ratio subject to § 803.5(j)
****	****	****	****
815.12	Residential Conversion <u>or</u> <u>Merger</u>	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u>
815.13	Residential Demolition	§ 317	<u>C for Removal of one or more Residential Units or Unauthorized Units.</u>

**Table 816
SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT
ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Service/Light Industrial/Residential Mixed Use District Controls
****	****	****	****
816.04	Non-Residential Density Limit	§§ 102- 9 , 123, 124, 127	Generally, 2.5 to 1 floor area ratio
****	****	****	****

1			<i>C for Removal of one or more</i>
2	816.12	Residential Conversion <i>or</i>	<i>Residential Units or</i>
3		<i>Merger</i>	<i>Unauthorized Units.</i>
4			
5			<i>C for Removal of one or more</i>
6	816.13	Residential Demolition	<i>Residential Units or</i>
7		§ 317	<i>Unauthorized Units.</i>
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11 **Table 817**
12 **SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE**

13	No.	Zoning Category	§ References	Service/Light Industrial District Controls
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15	817.04	Non-Residential Density Limit	§§ 102-9, 123, 124, 127	Generally, 2.5 to 1 floor area ratio
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17	* * * *	* * * *	* * * *	* * * *
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19				<i>C for Removal of one or more</i>
20	817.12	Residential Conversion <i>or</i>	§ 317	<i>Residential Units or</i>
21		<i>Merger</i>		<i>Unauthorized Units.</i>
22				
23				<i>C for Removal of one or more</i>
24	817.13	Residential Demolition	§ 317	<i>Residential Units or</i>
25				<i>Unauthorized Units.</i>

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Table 818
SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Service/Secondary Office District Controls
****	****	****	****
818.04	Non-Residential Density Limit	§§ 102-9, 123, 124, 127	3.0 to 1 floor area ratio in 40 or 50 foot height districts; 4.0 to 1 in 65 or 80 foot height districts, and 4.5 to 1 in 130 foot height districts
****	****	****	****
818.12	Residential Conversion <i>or</i> <u>Merger</u>	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>
818.13	Residential Demolition	§ 317	<i>C for Removal of one or more Residential Units or Unauthorized Units.</i>

1 Section 5. The Building Code is hereby amended by revising Section 102A, to read as
2 follows:

3 **SECTION 102A – UNSAFE BUILDINGS, STRUCTURES OR PROPERTY**

4 All buildings, structures, property, or parts thereof, regulated by this code that are
5 structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or
6 are otherwise dangerous to human life, safety or health of the occupants or the occupants of
7 adjacent properties or the public by reason of inadequate maintenance, dilapidation,
8 obsolescence or abandonment, or by reason of occupancy or use in violation of law or
9 ordinance, or were erected, moved, altered, constructed or maintained in violation of law or
10 ordinance are, for the purpose of this chapter, unsafe.

11 * * * *

12 **102A.3 Inspections and Complaints.** The Building Official is hereby authorized to
13 inspect or cause the inspection of any building, structure or property for the purpose of
14 determining whether or not it is unsafe in any of the following circumstances:

15 1. Whenever the Building Official, with reasonable discretion, determines that such
16 inspection is necessary or desirable.

17 2. Whenever any person files with the Building Official a complaint from which
18 there is, in the Building Official's opinion, probable cause to believe that the building, structure
19 or property or any portion thereof, is unsafe.

20 3. Whenever an agency or department of the City and County of San Francisco
21 transmits to the Building Official a written report from which there is, in the opinion of the
22 Building Official, probable cause to believe that the building, structure or property, or any
23 portion thereof, is unsafe.

24 Upon the completion of any such inspection and the finding by the Building Official of
25 any condition which renders the building, structure or property unsafe, the Building Official

1 shall, within 15 days thereafter, serve a written notice of violation upon the building owner
2 which shall contain specific allegations, setting forth each condition the Building Official has
3 found which renders the building, structure or property unsafe. The Building Official shall,
4 within three days of mailing of such notice of violation, post a copy thereof in a conspicuous
5 place in or upon such building, structure or property and make available a copy of the notice
6 of violation to each tenant thereof. Such notice shall also set forth the penalties for violation
7 prescribed in Section 103A of this code. In addition to the civil penalties prescribed in Section
8 103A, the Department's cost of preparation for and appearance at the hearing required by
9 Section 102A.4, and all prior and subsequent attendant and administrative costs, shall be
10 assessed upon the property owner monthly, after failure to comply with a written notice of
11 violation that has been served upon the property owner. Said violations will not be deemed
12 legally abated until the property owner makes full payment of the assessment of costs to the
13 Department of Building Inspection. See Section 110A, Table 1A-D – Standard Hourly Rates
14 and Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for the applicable
15 rate. Failure to pay the assessment of costs shall result in tax lien proceedings against the
16 property per Section 102A.18.

17 If the unsafe conditions observed on the property have not been corrected within the
18 time period provided, the matter shall be set for hearing within 60 days from the compliance
19 date specified on the notice of violation, if not substantial progress in abating the Code
20 violations has commenced.

21 102A.3.1. Dwelling Units constructed or installed without required permit(s). In the case of an
22 unauthorized Dwelling Unit constructed or installed in an existing building without the required permit
23 or permits, in addition to the above requirements the written notice of violation shall order the property
24 owner to file an application for a building and other permits required to legalize the unit pursuant to

1 Building Code Section 106A.3.1.3 and Planning Code Section 207.3 unless removal of the unit is
2 approved by the Planning Commission pursuant to Planning Code Section 317.

3 102A.3.1.1. Re-issuance of an unabated notice of violation. Any notice of violation issued
4 prior to the effective date of Section 102A.3.1 and that remains unabated shall be re-issued in
5 compliance with the requirements of Section 102A.3.1.

6
7 Section 6. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
10 of Supervisors overrides the Mayor's veto of the ordinance.

11
12 Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.

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

20 By: 
21 JUDITH A. BOYAJIAN
22 Deputy City Attorney

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