

File No. 130002

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date March 4, 2013

Board of Supervisors Meeting Date _____

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Historic Preservation Commission Resolution No. 695</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Resolution No. 18759</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Western SoMa Nexus Study</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Fee Ad</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Notice of Public Hearing</u> |
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Completed by: Alisa Miller Date March 1, 2013

Completed by: _____ Date _____

** Due to the large size of the document, a complete copy can be found in file.

1 [Planning Code - Implementing the Western South of Market Area Plan]

2
3 **Ordinance amending the Planning Code, by adding and amending various sections to**
4 **implement the goals, objectives, and policies of the Western South of Market Area**
5 **Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant**
6 **Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th**
7 **Street, and Townsend Street on the eastern portion of the plan area; and making**
8 **findings, including environmental findings, and findings of consistency with General**
9 **Plan and with the Priority Policies of Planning Code Section 101.1.**

10 NOTE: Additions are *single-underline italics Times New Roman*;
11 deletions are *strike through italics Times New Roman*.
12 Board amendment additions are double-underlined;
13 Board amendment deletions are ~~strikethrough-normal~~.

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

15 Section 1. Findings.

16 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
17 Ordinance will serve the public necessity, convenience, and welfare for the reasons set forth
18 in Planning Commission Resolution No. 18759, and incorporates those reasons herein by
19 reference. A copy of said Planning Commission Resolution is on file with the Clerk of the
20 Board of Supervisors in File No. 130002.

21 (b) The Board of Supervisors finds that this Ordinance is, on balance, consistent with
22 the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons
23 set forth in Planning Commission Resolution No. 18759, and incorporates those reasons
24 herein by reference.

25
Supervisor Kim
BOARD OF SUPERVISORS

1 (c) In accordance with the actions contemplated herein, this Board adopted Ordinance
2 No. _____, concerning findings pursuant to the California Environmental Quality Act
3 (California Public Resources Code sections 21000 et seq.). A copy of said Ordinance is on
4 file with the Clerk of the Board of Supervisors in File No. 130001 and is incorporated by
5 reference herein.

6 (d) Notwithstanding any contrary technical requirements that may exist in the Planning
7 or Administrative Codes, the Board hereby finds that the Planning Department provided
8 adequate notice for all documents and decisions, including environmental documents, related
9 to the Western SoMa Area Plan. This finding is based on the extensive mailed, posted,
10 electronic, and published notices that the Planning Department provided. Copies of such
11 notices are available for review through the Custodian of Records at the Planning
12 Department, 1650 Mission Street, San Francisco.

13
14 Section 2. The San Francisco Planning Code is hereby amended by amending
15 Sections 121.1, 121.2, 121.7, 124, 134, 135, 141, 145.1, 151.1, 155, 163, 182, 201, 204.4,
16 207.4, 207.5, 207.6, 208, 235, 270.2, 316, 329, 401, 423 et seq., 429.2, 607.1, 702.1, 703.2,
17 802.1, 802.4, 802.5, 803.3, 803.6, 803.7, 803.9, 813, 823, and 890.88, deleting Section 803.7,
18 and adding Sections 175.5, 261.2, 263.28, 263.29, 703.9, 743, 744, 844, 845, 846, 847, and
19 890.81, to read as follows:
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1 **SEC. 121.1. DEVELOPMENT OF LARGE LOTS, NEIGHBORHOOD COMMERCIAL**
2 **DISTRICTS.**

3 ...

District	Lot Size Limits
SoMa, <i>RCD, Folsom Street</i>	10,000 sq. ft.

6 ...

7 **SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD**
8 **COMMERCIAL DISTRICTS.**

9 ...

District	<u>Use Lot</u> Size Limits
NC-2, NCT-2, SoMa, Ocean Avenue, Glen Park, <i>Folsom Street</i>	4,000 sq. ft.

12 ...

13 **SEC. 121.7. RESTRICTION OF LOT MERGERS IN RESIDENTIAL CERTAIN**
14 **DISTRICTS AND ON PEDESTRIAN-ORIENTED STREETS.**

15 In order to promote, protect, and maintain a fine-grain scale of development in
16 residential districts and on important pedestrian-oriented commercial streets which is
17 appropriate to each district, compatible with adjacent buildings; provide for a diverse
18 streetscape; ensure the maintenance and creation of multiple unique buildings and building
19 frontages rather than large single structures superficially treated; promote diversity and
20 multiplicity of land ownership and discourage consolidation of property under single
21 ownership, merger of lots *in RTO and NCT Districts* are regulated as follows:
22

1 ...
 2 (b) In those NCT, and NC and Mixed Use Districts listed below, merger of lots resulting in
 3 a lot with a single street frontage greater than that stated in the table below on the specified
 4 streets or in the specified Districts is prohibited except according to the procedures and criteria
 5 in subsections (c) and (d) below.

<u>Street or District</u>	<u>Lot Frontage Limit</u>
Hayes, from Franklin to Laguna	50 feet
<u>RED and RED-MX</u>	<u>50 feet</u>
Church Street, from Duboce to 16th Street	100 <u>feet</u>
<u>Folsom Street NCT, RCD, WMUG, WMUO, and SALI</u>	<u>100 feet</u>
Market, from Octavia to Noe ...	150 <u>feet</u>

13
 14 Notwithstanding the foregoing, merger of lots in the WMUO zoning district resulting in a
 15 lot with a street frontage between 100 and 200 feet along Townsend Street is permitted so
 16 long as a publicly-accessible through-block pedestrian alley at least 20 feet in width and
 17 generally conforming to the design standards of Section 270.2(e)(5)-(12) of this Code is
 18 provided as a result of such merger.

1 ...
 2 **SEC. 124. BASIC FLOOR AREA RATIO.**

3 **TABLE 124**

4 **BASIC FLOOR AREA RATIO LIMITS**

District	Basic Floor Area Ratio Limit
... RED, <u>RED-MX</u> ...	1.0 to 1
... <u>Folsom Street</u> ... <u>RCD</u> ...	2.5 to 1
MUG, MUO, MUR, UMU, <u>WMUG</u> , <u>WMUO</u> , <u>SALI</u> , PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 40, 45, or 48 foot height district	3.0 to 1
MUG, MUO, MUR, UMU, <u>WMUG</u> , <u>WMUO</u> , <u>SALI</u> , PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 50, 55, or 58 foot height district	4.0 to 1
MUG, MUO, MUR, UMU, <u>WMUG</u> ,	5.0 to 1

1 2 3	<u>WMUO, SALI</u> , PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 65 or 68 foot height district	
4 5 6 7	MUG, MUO, MUR, UMU, <u>WMUG</u> , <u>WMUO, SALI</u> , PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a 85 foot height district	6.0 to 1
8 9 10 11 12	MUG, MUO, MUR, UMU, <u>WMUG</u> , <u>WMUO, SALI</u> , PDR-1-B, PDR-1-D, PDR-1-G, and PDR-2 in a height district over 85 feet	7.5 to 1

13
14 **SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED,
RED-MX, RSD, SLR, SLI AND SSO DISTRICTS.**

15
16 The rear yard requirements established by this Section 134 shall apply to every
17 building in an R, NC-1, NC-2 District or Individual Neighborhood Commercial District as noted
18 in Subsection (a), except those buildings which contain only single room occupancy (SRO) or
19 live/work units and except in the Bernal Heights Special Use District, Western SoMa Special Use
20 District, and Residential Character Districts to the extent these provisions are inconsistent with
21 the requirements set forth in Sections 242 and 823 of this Code. With the exception of
22 dwellings in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts
23 containing only SRO units, the rear yard requirements of this Section 134 shall also apply to
24 every dwelling in a(n) MUG, WMUG, MUO, MUR, UMU, SPD, RED, RED-MX, RSD, SLR, SLI,
25 SSO, NC-2, NCT-1, NCT-2, NC-3, NCT-3, Individual Area Neighborhood Commercial Transit

1 District, Individual Neighborhood Commercial District as noted in Subsection (a), C or M
2 District. Rear yards shall not be required in NC-S Districts. These requirements are intended
3 to assure the protection and continuation of established midblock, landscaped open spaces,
4 and maintenance of a scale of development appropriate to each district, consistent with the
5 location of adjacent buildings.

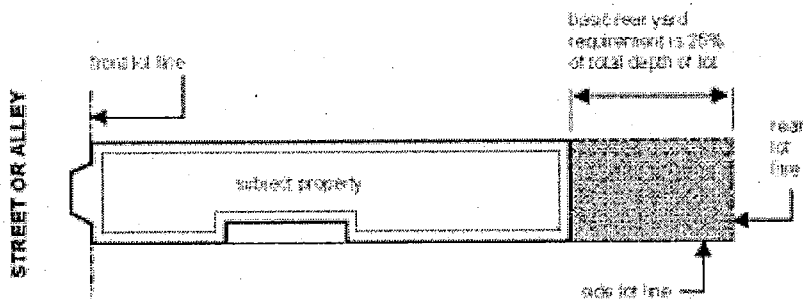
6 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the
7 districts indicated:

8 (1) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C, M,
9 MUG, WMUG, MUO, MUR, UMU, RED, RED-MX, SPD, RSD, SLR, SLI and SSO Districts.

10 The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on
11 which the building is situated, but in no case less than 15 feet. For buildings containing only
12 SRO units in the South of Market Mixed Use and Eastern Neighborhoods Mixed Use Districts,
13 the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which
14 the building is situated, but the required rear yard of SRO buildings not exceeding a height of
15 65 feet shall be reduced in specific situations as described in Subsection (c) below.

16 (A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, NCT-1, Inner
17 Sunset, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley,
18 and West Portal Avenue Districts. Rear yards shall be provided at grade level and at each
19 succeeding level or story of the building.

1 (B) NC-2, NCT-2, Ocean Avenue, Castro Street, Inner Clement Street, Upper
 2 Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission, *and*
 3 Glen Park, RCD and Folsom Street Districts. Rear yards shall be provided at the second story,
 4 and at each succeeding story of the building, and at the first story if it contains a dwelling unit.



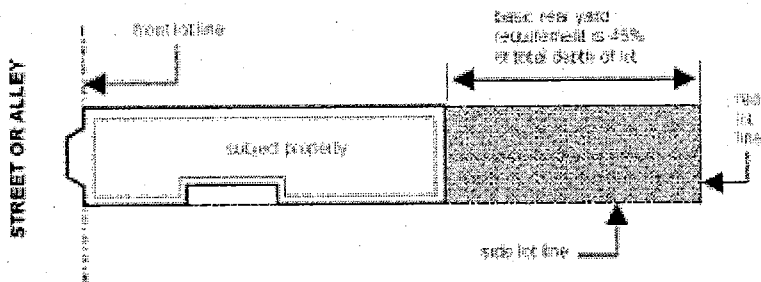
10 (C) RC-2, RC-3, RC-4, NC-3, NCT-3, Broadway, Hayes-Gough, NCT,
 11 Upper Market Street, Upper Market Street NCT, SoMa, NCT, Mission Street, NCT, Polk
 12 Street, Pacific Avenue, C, M, RED, SPD, RSD, SLR, SLI, SSO, MUR, MUG, MUO, and UMU
 13 Districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at
 14 each succeeding level or story of the building. In the Hayes-Gough NCT, lots fronting the east
 15 side of Octavia Boulevard between Linden and Market Streets (Central Freeway Parcels L, M,
 16 N, R, S, T, U, and V) are not required to provide rear yards at any level of the building,
 17 provided that the project fully meets the usable open space requirement for dwelling units per
 18 Section 135 of this Code, the exposure requirements of Section 140, and gives adequate
 19 architectural consideration to the light and air needs of adjacent buildings given the
 20 constraints of the project site.

21 (D) Upper Market NCT and Upper Market NCD. Rear yards shall be
 22 provided at the grade level, and at each succeeding story of the building. For buildings in the
 23 Upper Market NCT that do not contain residential uses and that do not abut adjacent lots with
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1 an existing pattern of rear yards or mid-block open space, the Zoning Administrator may
2 waive or reduce this rear yard requirement pursuant to the procedures of subsection (e).

3 (E) RED, RED-MX and WMUG Districts. Rear yards shall be provided at the
4 ground level for any building containing a dwelling unit, and at each succeeding level or story of the
5 building.

6 (2) RH-2, RH-3, RTO, RTO-M, RM-1 and RM-2 Districts. The minimum rear
7 yard depth shall be equal to 45 percent of the total depth of the lot on which the building is
8 situated, except to the extent that a reduction in this requirement is permitted by Subsection
9 (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of
10 the building.



1 (c) **Reduction of Requirements in RH-2, RH-3, RTO, RTO-M, RM-1 and RM-2**

2 **Districts.** The rear yard requirement stated in Paragraph (a)(2) above, for RH-2, RH-3, RTO,
3 RTO-M, RM-1 and RM-2 Districts, and as stated in Paragraph (a)(1) above, for single room
4 occupancy buildings located in either the South of Market Mixed Use or Eastern
5 Neighborhoods Mixed Use Districts not exceeding a height of 65 feet, shall be reduced in
6 specific situations as described in this Subsection (c), based upon conditions on adjacent lots.
7 Except for those SRO buildings referenced above in this paragraph whose rear yard can be
8 reduced in the circumstances described in Subsection (c) to a 15-foot minimum, under no
9 circumstances, shall the minimum rear yard be thus reduced to less than a depth equal to 25
10 percent of the total depth of the lot on which the building is situated, or to less than 15 feet,
11 whichever is greater.

12 (1) **General Rule.** In such districts, the forward edge of the required rear yard
13 shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an
14 average between the depths of the rear building walls of the two adjacent buildings. Except for
15 single room occupancy buildings in the South of Market Mixed Use Districts, in any case in
16 which a rear yard requirement is thus reduced, the last 10 feet of building depth thus
17 permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by
18 Section 260 of this Code, or to such lesser height as may be established by Section 261 of
19 this Code.

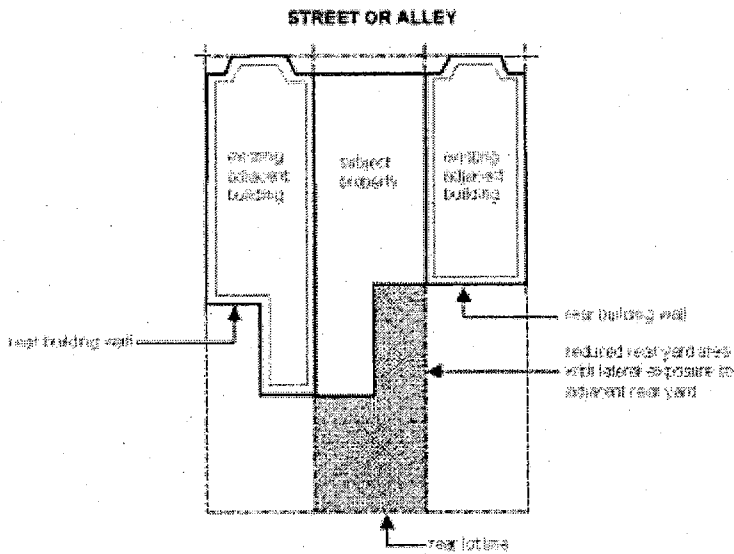
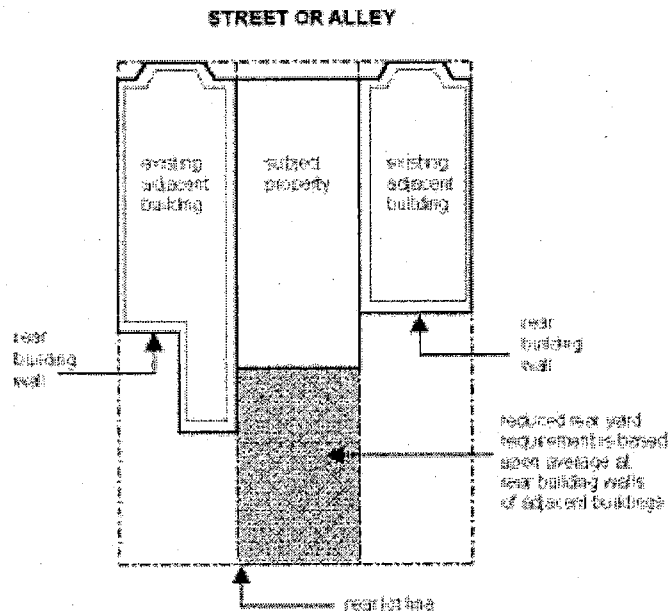
20 (2) **Alternative Method of Averaging.** If, under the rule stated in Paragraph
21 (c)(1) above, a reduction in the required rear yard is permitted, the reduction may alternatively
22 be averaged in an irregular manner; provided that the area of the resulting reduction shall be
23 no more than the product of the width of the subject lot along the line established by
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1 Paragraph (c)(1) above times the reduction in depth of rear yard permitted by Paragraph
2 (c)(1); and provided further that all portions of the open area on the part of the lot to which the
3 rear yard reduction applies shall be directly exposed laterally to the open area behind the
4 adjacent building having the lesser depth of its rear building wall.

5 (3) **Method of Measurement.** For purposes of this Subsection (c), an "adjacent
6 building" shall mean a building on a lot adjoining the subject lot along a side lot line. In all
7 cases the location of the rear building wall of an adjacent building shall be taken as the line of
8 greatest depth of any portion of the adjacent building which occupies at least ½ the width
9 between the side lot lines of the lot on which such adjacent building is located, and which has
10 a height of at least 20 feet above grade, or two stories, whichever is less, excluding all
11 permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining
12 the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an
13 RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, RED, RED-MX, MUG, WMUG, MUR, UMU, SPD,
14 RSD, SLR, SLI, SSO, NC, C, M or P District, such adjoining lot shall, for purposes of the
15 calculations in this Subsection (c), be considered to have an adjacent building upon it whose
16 rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

17 (4) **Applicability to Special Lot Situations.** In the following special lot
18 situations, the general rule stated in Paragraph (c)(1) above shall be applied as provided in
19 this Paragraph (c)(4), and the required rear yard shall be reduced if conditions on the adjacent
20 lot or lots so indicate and if all other requirements of this Section 134 are met.

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(A) **Corner Lots and Lots at Alley Intersections.** On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the

1 forward edge of the required rear yard shall be reduced to a line on the subject lot which is at
2 the depth of the rear building wall of the one adjacent building.

3 **(B) Lots Abutting Properties with Buildings that Front on Another**
4 **Street or Alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a
5 building that fronts on another street or alley, the lot on which it so abuts shall be disregarded,
6 and the forward edge of the required rear yard shall be reduced to a line on the subject lot
7 which is at the depth of the rear building wall of the one adjacent building fronting on the same
8 street or alley. In the case of any lot that abuts along both its side lot lines upon lots with
9 buildings that front on another street or alley, both lots on which it so abuts shall be
10 disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent
11 of the total depth of the subject lot, or 15 feet, whichever is greater.

12 **(C) Through Lots Abutting Properties that Contain Two Buildings.**
13 Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a
14 street and an alley, and both adjoining lots are also through lots, each containing two
15 dwellings or group housing structures that front at opposite ends of the lot, the subject through
16 lot may also have two buildings according to such established pattern, each fronting at one
17 end of the lot, provided all the other requirements of this Code are met. In such cases the rear
18 yard required by this Section 134 for the subject lot shall be located in the central portion of
19 the lot, between the two buildings on such lot, and the depth of the rear wall of each building
20 from the street or alley on which it fronts shall be established by the average of the depths of
21 the rear building walls of the adjacent buildings fronting on that street or alley. In no case,
22 however, shall the total minimum rear yard for the subject lot be thus reduced to less than a
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1 depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet,
2 whichever is greater. Furthermore, in all cases in which this Subparagraph (c)(4)(C) is
3 applied, the requirements of Section 132 of this Code for front setback areas shall be
4 applicable along both street or alley frontages of the subject through lot.

5

6 (f) **Modification of Requirements in the Eastern Neighborhoods Mixed Use**
7 **Districts.** The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be
8 modified or waived by the Planning Commission pursuant to Section 329, ~~and~~ The rear yard
9 requirement in Eastern Neighborhoods Mixed Use Districts may be modified by the Zoning
10 Administrator pursuant to the procedures set forth in Section 307(h) for other projects,
11 provided that:

12 (1) A comparable, but not necessarily equal amount of square footage as
13 would be created in a code conforming rear yard is provided elsewhere within the
14 development;

15 (2) The proposed new or expanding structure will not significantly impede the
16 access to light and air from adjacent properties or adversely affect the interior block open
17 space formed by the rear yards of adjacent properties; and

18 (3) The modification request is not combined with any other residential open
19 space modification or exposure variance for the project, except exposure modifications in
20 designated landmark buildings under Section 307(h)(1).

1 be used in the operation or maintenance of a building shall be arranged so as not to be visible
2 from any point at or below the roof level of the subject building. This requirement shall apply in
3 construction of new buildings, and in any alteration of mechanical systems of existing
4 buildings that results in significant changes in such rooftop equipment and appurtenances.
5 The features so regulated shall in all cases be either enclosed by outer building walls or
6 parapets, or grouped and screened in a suitable manner, or designed in themselves so that
7 they are balanced and integrated with respect to the design of the building. Minor features not
8 exceeding one foot in height shall be exempted from this regulation.

9
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11 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL,
RESIDENTIAL-COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

12
13 (c) **Controls.** The following requirements shall generally apply, except for those
14 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling
15 Height, which only apply to a "development lot" as defined above.

16 In NC-S Districts, the applicable frontage shall be the primary facade(s) which contain
17 customer entrances to commercial spaces.

18 (1) **Above-Grade Parking Setback.** Off-street parking at street grade on a
19 development lot must be set back at least 25 feet on the ground floor and at least 15 feet on
20 floors above, from any facade facing a street at least 30 feet in width. Parking above the
21 ground level shall be entirely screened from all public rights-of-way in a manner that
22 accentuates ground floor uses, minimizes mechanical features and is in keeping with the
23 overall massing and architectural vocabulary of the building. In C-3 Districts, parking above
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1 the ground level, where permitted, shall also be designed to facilitate conversion to other uses
2 by maintaining level floors and a clear ceiling height of nine feet or equal to that of the
3 adjacent street-fronting active uses, whichever is greater. Removable parking ramps are
4 excluded from this requirement.

5 The following shall apply to projects subject to this section:

6 (A) when only one parking space is permitted. if a space is proposed it
7 must be within the first 25 feet of the building;

8 (B) when two or more parking spaces are proposed, one space may be
9 within the first 25 feet of the building;

10 (C) when three or more parking spaces are proposed, all parking spaces
11 must be set back at least 25 feet from the front of the development.

12 (2) **Parking and Loading Entrances.** No more than one-third of the width or 20
13 feet, whichever is less, of any given street frontage of a new or altered structure parallel to
14 and facing a street shall be devoted to parking and loading ingress or egress. In NC-S
15 Districts, no more than one-third or 50 feet, whichever is less, of each lot frontage shall be
16 devoted to ingress/egress of parking. In RED Districts, no more than one garage door shall be
17 permitted per lot, and the garage door shall be limited to no more than 10 feet in width. Street-facing
18 garage structures and garage doors may not extend closer to the street than a primary
19 building facade unless the garage structure and garage door are consistent with the features
20 listed in Section 136 of this Code. The total street frontage dedicated to parking and loading
21 access should be minimized, and combining entrances for off-street parking with those for off-
22 street loading is encouraged. The placement of parking and loading entrances should
23 minimize interference with street-fronting active uses and with the movement of pedestrians,
24 cyclists, public transit, and autos. Entrances to off-street parking shall be located at least six
25 feet from a lot corner located at the intersection of two public rights-of-way. Off-street parking

1 and loading entrances should minimize the loss of on-street parking and loading spaces. Off-
2 street parking and loading are also subject to the provisions of Section 155 of this Code. In C-
3 3 Districts, so as not to preclude the conversion of parking space to other uses in the future,
4 parking at the ground-level shall not be sloped, and the floor shall be aligned as closely as
5 possible to sidewalk level along the principal pedestrian frontage and/or to those of the street-
6 fronting commercial spaces and shall have a minimum clear ceiling height of 14 feet or equal
7 to that of street-fronting commercial spaces, whichever is greater. Removable parking ramps
8 are excluded from this requirement.

9 (3) **Active Uses Required.** With the exception of space allowed for parking and
10 loading access, building egress, and access to mechanical systems, space for active uses as
11 defined in Subsection (b)(2) and permitted by the specific district in which it is located shall be
12 provided within the first 25 feet of building depth on the ground floor and 15 feet on floors
13 above from any facade facing a street at least 30 feet in width. Building systems including
14 mechanical, electrical, and plumbing features may be exempted from this requirement by the
15 Zoning Administrator only in instances where those features are provided in such a fashion as
16 to not negatively impact the quality of the ground floor space.

17 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere in
18 this Code:

19 (A) Ground floor non-residential uses in UMU Districts shall have a
20 minimum floor-to-floor height of 17 feet, as measured from grade.

21 (B) Ground floor non-residential uses in all C-3, C-M, NCT, DTR,
22 Chinatown Mixed Use, RSD, SLR, SLI, SPD, SSO, RED-MX, WMUG, MUG, MUR, WMUO and
23 MUO Districts shall have a minimum floor-to-floor height of 14 feet, as measured from grade.

24 (C) Ground floor non-residential uses in all RC districts, C-2 districts,
25 RED districts, and NC districts other than NCT, shall have a minimum floor-to-floor height of

1 14 feet, as measured from grade except in 40-foot and 50-foot height districts, where
2 buildings shall have a minimum floor-to-floor height of 10 feet.

3 (5) **Street-Facing Ground-Level Spaces.** The floors of street-fronting interior
4 spaces housing non-residential active uses and lobbies shall be as close as possible to the
5 level of the adjacent sidewalk at the principal entrance to these spaces. Street-facing ground-
6 level spaces housing non-residential active uses in hotels, office buildings, shopping centers,
7 and other large buildings shall open directly onto the street, rather than solely into lobbies and
8 interior spaces of the buildings. Such required street-facing entrances shall remain open to
9 the public during business hours.

10 (6) **Transparency and Fenestration.** Frontages with active uses that are not
11 residential or PDR must be fenestrated with transparent windows and doorways for no less
12 than 60 percent of the street frontage at the ground level and allow visibility to the inside of the
13 building. The use of dark or mirrored glass shall not count towards the required transparent
14 area. Buildings located inside of, or within an unobstructed line of less than 300 feet of an
15 Urban Bird Refuge, as defined in Section 139(c)(1), shall follow glazing requirements within
16 Section 139(c) of this Code.

17 (7) **Gates, Railings, and Grillwork.** Any decorative railings or grillwork, other
18 than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75
19 percent open to perpendicular view. Rolling or sliding security gates shall consist of open
20 grillwork rather than solid material, so as to provide visual interest to pedestrians when the
21 gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both
22 open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid
23 flush with, the building facade.

1 ...

2 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**

3 **SPECIFIED DISTRICTS.**

4 (a) **Applicability.** This subsection shall apply only to DTR, NCT, RCD, Upper Market

5 Street NCD, RTO, Eastern Neighborhood Mixed Use, South of Market Mixed Use, M-1, PDR-

6 1-D, and PDR-1-G, C-M, or C-3 Districts.

7 ...

8 **Table 151.1**

9 **OFF-STREET PARKING PERMITTED AS ACCESSORY**

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
<p>10 ...</p> <p>11 Dwelling units and SRO units in SLI, <u>SALI</u>, SSO, MUG, <u>WMUG</u>, MUR, MUO, <u>WMUO</u>, SPD Districts, except as specified below</p>	<p>P up to one car for each four dwelling units; <u>C</u> up to 0.75 cars for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.</p>
<p>12 Dwelling units in SLI, <u>SALI</u>, SSO, MUG, <u>WMUG</u>, MUR, MUO, <u>WMUO</u>, SPD Districts with at least 2 bedrooms and at least 1,000 square feet of occupied floor area</p>	<p>P up to one car for each four dwelling units; <u>C</u> up to one car for each dwelling unit, subject to the criteria and conditions and procedures of Section 151.1(g); NP above one car for each dwelling unit.</p>
<p>13 ...</p> <p>14 Dwelling units in the Ocean Avenue NCT Districts and Glen Park NCT District</p> <p>15 <u>Dwelling units in the Folsom Street NCT and RCD Districts</u></p>	<p>P up to one car for each unit; NP above.</p> <p><u>P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.</u></p>
<p>16 Dwelling units and SRO units in RTO and RED and <u>RED-MX</u> Districts, except as specified below</p>	<p>P up to three cars for each four dwelling units; C up to one car for each dwelling unit, subject to the criteria and</p>

	procedures of Section 151.1(g); NP above one car for each dwelling unit.
...	
All office uses in C-3, DTR, C-M, SSO, SPD, MUG, <u>WMUG</u> , MUR, and <u>WMUO</u> MUO Districts	P up to seven percent of the gross floor area of such uses and subject to the pricing conditions of Section 155(g); NP above.
Office uses in M-1, UMU, <u>SALI</u> , PDR-1-D, and PDR-1-G Districts, except as specified below	P up to one car per 1,000 square feet of gross floor area and subject to the pricing conditions of Section 155(g); NP above.
Office uses in M-1, UMU, <u>SALI</u> , PDR-1-D, and PDR-1-G Districts where the entire parcel is greater than ¼-mile from Market, Mission, 3rd Streets and 4th Street north of Berry Street	P up to one car per 500 square feet of gross floor area; NP above.
...	

...

(g) In RTO, NCT, C-M, *and* South of Market Mixed Use Districts, *and the* Upper Market Street NCD, RED, RED-MX, *and* WMUG, any request for accessory parking in excess of what is principally permitted in Table 151.1, but which does not exceed the maximum amount stated in Table 151.1, shall be reviewed by the Planning Commission as a Conditional Use. In MUG, WMUG, MUR, MUO, RED, RED-MX, and SPD Districts, any project subject to Section 329 and that requests residential accessory parking in excess of that which is principally permitted in Table 151.1, but which does not exceed the maximum amount stated in Table 151.1, shall be reviewed by the Planning Commission according to the procedures of Section 329. Projects that are not subject to Section 329 shall be reviewed under the procedures detailed in subsection (h) below.

1 (1) In granting such Conditional Use or exception per 329 for parking in excess
2 of that principally permitted in Table 151.1, the Planning Commission shall make the following
3 affirmative findings according to the uses to which the proposed parking is accessory:

4 (A) **Parking for All Uses.**

5 (i) Vehicle movement on or around the project does not unduly
6 impact pedestrian spaces or movement, transit service, bicycle movement, or the overall
7 traffic movement in the district;

8 (ii) Accommodating excess accessory parking does not degrade
9 the overall urban design quality of the project proposal;

10 (iii) All above-grade parking is architecturally screened and lined
11 with active uses according to the standards of Section 145.1, and the project sponsor is not
12 requesting any exceptions or variances requiring such treatments elsewhere in this Code; and

13 (iv) Excess accessory parking does not diminish the quality and
14 viability of existing or planned streetscape enhancements.

15 (B) **Parking for Residential Uses.**

16 (i) For projects with 50 dwelling units or more, all residential
17 accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by
18 mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for
19 parking and maneuvering, and maximizes other uses.

20 (C) **Parking for Non-Residential Uses.**

21 (i) Projects that provide more than 10 spaces for non-residential
22 uses must dedicate 5% of these spaces, rounded down to the nearest whole number, to
23 short-term, transient use by vehicles from certified car sharing organizations per Section 166,
24 vanpool, rideshare, taxis, or other co-operative auto programs. These spaces shall not be
25 used for long-term storage nor satisfy the requirement of Section 166, but rather to park them

1 during trips to commercial uses. These spaces may be used by shuttle or delivery vehicles
2 used to satisfy subsection (B).

3 (ii) Retail uses larger than 20,000 square feet, including but not
4 limited to grocery, hardware, furniture, consumer electronics, greenhouse or nursery, and
5 appliance stores, which sell merchandise that is bulky or difficult to carry by hand or by public
6 transit, shall offer, at minimal or no charge to its customers, door-to-door delivery service
7 and/or shuttle service. This is encouraged, but not required, for retail uses less than 20,000
8 square feet.

9 (iii) Parking shall be limited to short-term use only.

10 (iv) Parking shall be available to the general public at times when
11 such parking is not needed to serve the use or uses to which it is accessory.

12 (2) Additionally, in granting approval for such accessory parking above that
13 permitted by right, the Commission may require the property owner to pay the annual
14 membership fee to a certified car-share organization, as defined in Section 166(b)(2), for any
15 resident of the project who so requests and who otherwise qualifies for such membership,
16 provided that such requirement shall be limited to one membership per dwelling unit, when the
17 findings set forth in Section 151.1(e)(2) are made.

18 (h) **Small residential projects in MUG, WMUG, MUR, MUO, WMUO, RED, RED-MX**
19 **and SPD Districts.** Any project that is not subject to the requirements of Section 329 and that
20 requests residential accessory parking in excess of what is principally permitted in Table
21 151.1 shall be reviewed by the Zoning Administrator subject to Section 307(h). The Zoning
22 Administrator may grant parking in excess of what is principally permitted in Table 151.1, not
23 to exceed the maximum amount stated in Table 151.1, only if the Zoning Administrator
24 determines that all of the following conditions are met:

25 (1) all the conditions of subsection (g)(1)(A) above have been met.

1 (2) parking is not accessed from any protected Transit or Pedestrian Street
2 described in Section 155(r), and

3 (3) where more than ten spaces are proposed at least half of them, rounded
4 down to the nearest whole number, are stored and accessed by mechanical stackers or lifts,
5 valet, or other space-efficient means that reduces space used for parking and maneuvering,
6 and maximizes other uses.

7 ...
8 **SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF**
9 **OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

10 ...
11 (d) All off-street freight loading and service vehicle spaces in the C-3, DTR, MUO,
12 WMUO, MUG, WMUG, MUR, and South of Market Mixed Use Districts shall be completely
13 enclosed and access from a public street or alley shall be provided by means of a private
14 service driveway, which is totally contained within the structure. Such a private service
15 driveway shall include adequate space to maneuver trucks and service vehicles into and out
16 of all provided spaces, and shall be designed so as to facilitate access to the subject property
17 while minimizing interference with street and sidewalk circulation. Any such private service
18 driveway shall be of adequate width to accommodate drive-in movement from the adjacent
19 curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if
20 an adjacent street or alley is determined by the Zoning Administrator to be primarily used for
21 building service, up to four off-street freight or loading spaces may be allowed to be
22 individually accessible directly from such a street or alley, pursuant to the provisions of
23 Section 309 in a C-3 District, the provisions of Section 307(g) in a South of Market Mixed Use
24 District, the provisions of Section 309.1 in a DTR District, the provisions of Section 329 for
25 projects subject to Section 329 in a MUO, WMUO, MUG, WMUG, or MUR District, or by

1 administrative decision of the Zoning Administrator for projects that are not subject to Section
2 329 in a MUO, WMUO, MUG, WMUG, or MUR District.

3
4 (g) In order to discourage long-term commuter parking, any off-street parking spaces
5 provided for a structure or use other than residential or hotel in a C-3, C-M, DTR, SLR, SSO,
6 SPD, MUG, WMUG, MUR WMUO or MUO District, whether classified as an accessory or
7 conditional use, which are otherwise available for use for long-term parking by downtown
8 workers shall maintain a rate or fee structure for their use such that the rate charge for four
9 hours of parking duration is no more than four times the rate charge for the first hour, and the
10 rate charge for eight or more hours of parking duration is no less than 10 times the rate
11 charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly,
12 monthly or similar time-specific periods.

13
14 (r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In
15 order to preserve the pedestrian character of certain downtown and neighborhood commercial
16 districts and to minimize delays to transit service, garage entries, driveways or other vehicular
17 access to off-street parking or loading (except for the creation of new publicly-accessible
18 streets and alleys) shall be regulated on development lots as follows on the following street
19 frontages:

20 (1) Folsom Street, from Essex Street to the Embarcadero, not permitted except
21 as set forth in Section 827.

22 (2) Not permitted:

23 (A) The entire portion of Market Street from The Embarcadero to Castro
24 Street,

1 (B) Hayes Street from Franklin Street to Laguna Street, Church Street in
2 the NCT-3 and Upper Market NCT Districts,

3 (C) Van Ness Avenue from Hayes Street to Mission Street,

4 (D) Mission Street from The Embarcadero to Annie Street and from 10th
5 Street to Division Street,

6 (E) Octavia Street from Hayes Street to Fell Street,

7 (F) Embarcadero in the DTR Districts,

8 (G) 22nd Street between 3rd Street and Minnesota Streets within the
9 NCT-2 District,

10 (H) Valencia Street between 15th and 23rd Streets in the Valencia Street
11 NCT District,

12 (I) Mission Street for the entirety of the Mission Street NCT District,

13 (J) 24th Street for the entirety of the 24th Street-Mission NCT,

14 (K) 16th Street between Guerrero and Capp Streets within the Valencia
15 Street NCT and Mission Street NCT Districts,

16 (L) 16th Street between Kansas and Mississippi Streets in the UMU and
17 PDR-1-D Districts,

18 (M) 6th Street for its entirety within the SoMa NCT District,

19 (N) 3rd Street, in the UMU districts for 100 feet north and south of
20 Mariposa and 100 feet north and south of 20th Streets, and 4th Street between Bryant and
21 Townsend in the SLI and MUO District,

22 (O) Ocean Avenue within the Ocean Avenue NCT District,

23 (P) Geneva Avenue from I-280 to San Jose Avenue within the NCT-2
24 District,

25 (Q) Columbus Avenue between Washington and North Point Streets,

1 (R) Broadway from the Embarcadero on the east to Polk Street on the
2 west, and

3 (S) All alleyways in the Chinatown Mixed Use Districts,

4 (T) Diamond Street within the Glen Park NCT District,

5 (U) Chenery Street within the Glen Park NCT District,

6 (V) Natoma Street from 300 feet westerly of 1st Street to 2nd Street,

7 (W) Ecker Alley in its entirety,

8 (X) Shaw Alley in its entirety,

9 (Y) 2nd Street from Market to Folsom Streets.

10 (3) Not permitted except with a Conditional Use authorization, except that in the
11 C-3-O(SD) District, the Planning Commission may grant such permission as an exception
12 pursuant to Section 309 in lieu of a Conditional Use authorization where the amount of
13 parking proposed does not exceed the amounts permitted as accessory according to Section
14 151.1.

15 (A) The entire portion of California Street, The Embarcadero, Folsom
16 Street, Geary Street, Mission Street, Powell Street and Stockton Street in the C-3 Districts,

17 (B) Grant Avenue from Market Street to Bush Street,

18 (C) Montgomery Street from Market Street to Columbus Avenue,

19 (D) Haight Street from Market Street to Webster Street,

20 (E) Church Street and 16th Street in the RTO District,

21 (F) Duboce Street from Noe Street to Market Street,

22 (G) Duboce Street from Noe Street to Market Street,

23 (H) Octavia Street from Fell Street to Market Street, and

24 (I) 1st, Fremont and Beale Streets from Market to Folsom Street.

1 (4) In C-3, NCT and RTO Districts, no curb cuts accessing off-street parking or
2 loading shall be created or utilized on street frontages identified along any Transit Preferential,
3 Citywide Pedestrian Network or Neighborhood Commercial Streets as designated in the
4 Transportation Element of the General Plan or official City bicycle routes or bicycle lanes,
5 where an alternative frontage is available. For bicycle lanes, the prohibition on curb cuts
6 applies to the side or sides of the street where bicycle lanes are located; for one-way bicycle
7 routes or lanes, the prohibition on curb cuts shall apply to the right side of the street only,
8 unless the officially adopted alignment is along the left side of the street. Where an alternative
9 frontage is not available, parking or loading access along any Transit Preferential, Citywide
10 Pedestrian Network or Neighborhood Commercial Streets as designated in the Transportation
11 Element of the General Plan or official City bicycle lane or bicycle route, may be allowed on
12 streets not listed in subsection (2) above as an exception in the manner provided in Section
13 309 for C-3 Districts and in Section 303 for NCT and RTO Districts in cases where it can be
14 clearly demonstrated that the final design of the parking access minimizes negative impacts to
15 transit movement and to the safety of pedestrians and bicyclists to the fullest extent feasible.

16 (5) For corner lots in the SALI District, no new curb cut shall be permitted, nor any
17 existing curb cut expanded, on any Street or Alley identified as an alley in the Western SoMa Area Plan
18 of the General Plan if any property on the same block with frontage along that Street or Alley is
19 designated as a RED or RED-MX District.

20 (56) A "development lot" shall mean any lot containing a proposal for new
21 construction, building alterations which would increase the gross square footage of a structure
22 by 20 percent or more, or change of use of more than 50 percent of the gross floor area of a
23 structure containing parking. Pre-existing access to off-street parking and loading on
24 development lots that violates the restrictions of this Section 155(r) may not be maintained.

1
2 **SEC. 175.5. APPLICABILITY OF WESTERN SOMA CONTROLS TO PENDING PROJECTS IN**
3 **THE WMUO SALI DISTRICT.**

4 (a) Intent. *It is the intent of this Section to provide for an orderly transition from prior*
5 *zoning and planning requirements to the requirements imposed in implementing the Western SoMa*
6 *Controls, without impairing the validity of prior actions by the City, or frustrating completion of*
7 *actions authorized prior to the effective date of those Controls.*

8 (b) Applicability. *This Section applies only to projects located in a WMUO SALI District*
9 *within the boundaries of the Eastern Neighborhoods Program Area as defined in Section 401 that have*
10 *a Development Application pending as of August 14, 2008 June 20, 2012. Notwithstanding any*
11 *contrary provision in this Section, if a project does not receive its first building or site permit within 36*
12 *months after the effective date of the Western SoMa Controls, then it shall be subject to all applicable*
13 *Planning Code and Zoning Maps controls in effect at the date its first building or site permit is issued.*
14 *The 36-month time period is extended until the expiration of any appeal period, or if an appeal or*
15 *litigation challenging the project authorization is filed, until final resolution of the appeal or litigation.*

16 (c) Definitions. *The following definitions shall apply to this Section:*

17 (1) "Code Conforming Project" *shall mean a project which complies with the*
18 *Planning Code prior to the effective date of the Western SoMa controls.*

19 (2) "Development Application" *shall mean any application for a building permit,*
20 *site permit, environmental review, Conditional Use or Variance.*

21 (3) "Pending," *with respect to a Development Application, shall mean first filed*
22 *with the Planning Department on the date specified in Section (b) above for a project that has not*
23 *obtained a Project Approval prior to the effective date of the Western SoMa Controls.*

1 (4) "Project Approval" shall mean any required approval or determination on a
2 Development Application by the Planning Commission, Planning Department, or Zoning
3 Administrator.

4 (5) "Residential Project" shall mean any project which includes at least one
5 dwelling unit, group housing bedroom, or other residential use or uses.

6 (6) "Western SoMa Controls" shall mean all Ordinances adopted in furtherance of
7 the Western SoMa Area Plan Process, including but not limited to Ordinance Numbers _____,
8 and _____, and associated amendments to the Planning Code, Zoning Map, and Administrative Code.

9 (d) **Effect of Western SoMa Controls on pending Residential Code Conforming Projects.**

10 (1) Articles 1, 1.2, 1.5, and 2.5 of the Planning Code as amended by the Western
11 SoMa Controls shall apply; and

12 (2) The impact fees set forth in Section 423 et seq. shall apply; and

13 (3) The Planning Director may grant an increase beyond the otherwise-superseded
14 height limits of no more than 8 feet when an equal or greater increase would be allowed under the
15 Western SoMa Controls and when such increase is necessary to comply with Subsection (d)(1), above;
16 and

17 (4) If compliance with Subsection (d)(1) would require a substantial re-design of the
18 project or a significant change to the type or size of uses originally proposed, the applicant may seek
19 complete or partial relief from that requirement through the Conditional Use authorization process as
20 set forth in Section 303; and

21 (5) For proposed Residential Projects where such uses are not permitted under the
22 Western SoMa Controls, Subsection (d)(1), above shall apply as if the residential use were located in
23 an Western SoMa Mixed Use General (WMUG) District.

1 **SEC. 163. TRANSPORTATION MANAGEMENT PROGRAMS AND**
2 **TRANSPORTATION BROKERAGE SERVICES IN C-3, EASTERN NEIGHBORHOODS**
3 **MIXED USE, AND SOUTH OF MARKET MIXED USE DISTRICTS.**

4 (a) Purpose. This Section is intended to assure that adequate measures are undertaken
5 and maintained to minimize the transportation impacts of added office employment in the
6 downtown and South of Market area, in a manner consistent with the objectives and policies
7 of the General Plan, by facilitating the effective use of transit, encouraging ridesharing, and
8 employing other practical means to reduce commute travel by single-occupant vehicles.

9 (b) Applicability. The requirements of this Section apply to any project meeting one of
10 the following conditions:

11 (1) In the C-3, Eastern Neighborhoods, Mixed Use and South of Market Mixed Use
12 Districts, projects where the gross square feet of new construction, conversion, or added floor
13 area for office use equals at least 100,000 square feet;

14 (2) In the C-3-O(SD) District, where new construction, conversion, or added floor
15 area for residential use equals at least 100,000 square feet equals at least 100 dwelling units;

16 (3) In the C-3-O(SD) District, projects where the gross square feet of new
17 construction or added floor area for any non-residential use equals at least 100,000 square
18 feet; or

19 (4) In the case of the SSO, WMUO, or MUO District, where the gross square feet of
20 new, converted or added floor area for office use equals at least 25,000 square feet.

21

1 **SEC. 182. NONCONFORMING USES: CHANGES OF USE.**

2 The following provisions shall apply to nonconforming uses with respect to changes of
3 use:

4 (a) A nonconforming use shall not be changed or modified so as to increase the degree
5 of nonconformity under the use limitations of this Code, with respect to the type of use or its
6 intensity except as provided in Section 181 for nighttime entertainment activities within the
7 RSD, MUG, MUR, or SLR Districts ~~and in Subsection (f) below~~. The degree of nonconformity
8 shall be deemed to be increased if the new or modified use is less widely permitted by the use
9 districts of the City than the nonconforming use existing immediately prior thereto.

10 (b) Except as limited in this Subsection, a nonconforming use may be reduced in size,
11 extent or intensity, or changed to a use that is more widely permitted by the use districts of the
12 City than the existing use, subject to the other applicable provisions of this Code. Except as
13 otherwise provided herein, the new use shall still be classified as a nonconforming use.

14 (1) A nonconforming use in a Residential District (other than a Residential-
15 Commercial Combined District ~~or an RED District~~), which use is located more than ¼ mile from
16 the nearest Individual Area Neighborhood Commercial District or Restricted Use Subdistrict
17 described in Article 7 of this Code, may change to another use which is permitted as a
18 principal use at the first story and below in an NC-1 District, or it may change to another use
19 which is permitted as a conditional use at the first story and below in an NC-1 District only
20 upon approval of a conditional use application pursuant to the provisions of Article 3 of this
21 Code. If the nonconforming use is seeking to change in use to a retail sales activity or retail
22 sales establishment which is also a formula retail use, as defined in Section 703.3 of this
23 Code, it shall comply with the provisions of Section 703.3 of this Code. The nonconforming
24 use shall comply with other building standards and use limitations of NC-1 Districts, as set
25 forth in Sections 710.10 through 710.95 of this Code.

1 If the nonconforming use is located within ¼ mile from any Individual Area
2 Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this
3 Code, the nonconforming use may change to another use which is permitted as a principal
4 use at the first story and below in an NC-1 District and in the Individual Area Neighborhood
5 Commercial District or Restricted Use Subdistrict or Districts within ¼ mile of the use, or it
6 may change to another use which is permitted as a conditional use at the first story and below
7 in an NC-1 District and in the Individual Area Neighborhood Commercial District or Districts
8 within ¼ mile of the use only upon approval of a conditional use application pursuant to the
9 provisions of Article 3 of this Code. If the nonconforming use is seeking to change in use to a
10 retail sales activity or retail sales establishment which is also a formula retail use, as defined
11 in Section 703.3 of this Code, it shall comply with the provisions of Section 703.3 of this Code.

12 The nonconforming use shall comply with other building standards and use limitations
13 of NC-1 Districts and any Individual Area NC District or Districts located within ¼ mile of the
14 use, as set forth in Article 7 of this Code.

15 (2) A nonconforming use in a Residential-Commercial Combined District may be
16 changed to another use listed in Articles 2 or 7 of this Code as a principal use for the district in
17 which the existing use would first be permitted as a principal or conditional use.

18 (3) A nonconforming use in a Neighborhood Commercial District may be
19 changed to another use as provided in Subsections (c) and (d) below or as provided in
20 Section 186.1 of this Code.

21 (4) A nonconforming use in any district other than a Residential, Downtown
22 Residential, or Neighborhood Commercial District may be changed to another use listed in
23 Articles 2 or 7 of this Code as a principal use for the district in which the existing use would
24 first be permitted as a principal use.

1 (5) A nonconforming use in any South of Market Mixed Use District may not be
2 changed to an office, retail, bar, restaurant, nighttime entertainment, adult entertainment,
3 hotel, motel, inn, hostel, or movie theater use in any district where such use is otherwise not
4 permitted or conditional, except as provided in Subsection (g) below.

5 ...
6 ~~(f) Any nonconforming use in an RED District may change to any use falling within zoning~~
7 ~~categories 816.36, 816.42 through 816.47, 816.55, or 816.64 through 816.67, subject to the applicable~~
8 ~~provisions of this Code other than those controlling uses, and the new use may thereafter continue as a~~
9 ~~nonconforming use.~~

10 (gf) Once a nonconforming use has been changed to a principal or conditional use
11 permitted in the district in which the property is located, or brought closer in any other manner
12 to conformity with the use limitations of this Code, the use of the property may not thereafter
13 be returned to its former nonconforming status, except that:

14 (1) Any area which is used as a live/work unit shall be allowed to return to its
15 former nonconforming status.

16 (2) Within any South of Market Mixed Use District, any area occupied by a
17 nonconforming office use which is changed to an arts, home and/or business service use
18 falling within zoning categories 102.2 or 816.42 through 816.47 or a wholesale, storage or
19 light manufacturing use falling within zoning categories 816.64 through 816.67 shall be
20 allowed to return to its former nonconforming office use.

21 (3) Upon restoration of a previous nonconforming use as permitted by
22 Subsection (1) or (2) above, any modification, enlargement, extension, or change of use, from
23 circumstances which last lawfully existed prior to the creation of the live/work unit, or prior to
24 the change from office use, shall be subject to the provisions of this Article, and the restored
25

1 nonconforming use shall be considered to have existed continuously since its original
2 establishment, prior to the live/work unit or change to office use, for purposes of this Article.

3 (hg) If a nonconforming use has been wrongfully changed to another use in violation of
4 any of the foregoing provisions, and the violation is not immediately corrected when required
5 by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or
6 abandonment of the nonconforming use under Section 183 of this Code.

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

8

9 10 11 <i><u>Individual Area Named Neighborhood Commercial Districts (Defined in Sec. 702.1)</u></i>
12 <i><u>Noriega Street Neighborhood Commercial District (Defined in Sec. 739.1)</u></i>
13 14 <i><u>Irving Street Neighborhood Commercial District (Defined in 740.1)</u></i>
15 <i><u>Taraval Street Neighborhood Commercial District (Defined in 741.1)</u></i>
16 <i><u>Judah Street Neighborhood Commercial District (Defined in Sec. 742.1)</u></i>
17 18 <i><u>Regional Commercial District (Defined in Sec. 744)</u></i>

1 ***Individual Area Named* Neighborhood Commercial Transit (NCT)**
 2 **Districts *(Defined in Sec. 702.1)***

3
 4 ...
 5 *Folsom Street NCT*

6 **South of Market Use Mixed Use Districts**
 7 **(Also see *Article 8 Sec. 802.5*)**

8 <i>RED</i>	<i>Residential Enclave Districts</i>
9 ...	

12 **Eastern Neighborhoods Mixed Use Districts**
 13 **(Also see Article 8)**

14 ...	
15 <i>RED</i>	<i>Residential Enclave District</i>
16 <i>RED-MX</i>	<i>Residential Enclave District - Mixed</i>
17 <i>WMUG</i>	<i>Western SoMa Mixed Use – General</i>
18 <i>WMUO</i>	<i>Western SoMa Mixed Use - Office</i>
19 <i>SALI</i>	<i>Service/Arts/Light Industrial</i>

20
 21
 22
 23 ...
 24 In addition to the classes of use districts in the above table, the following terms shall
 25 apply:

1 "R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-1, RM-3, RM-4,
2 RTO, RTO-M, RC-1, RC-2, RC-3, or RC-4, or RED District;
3 ...

4 **SEC. 204.4. DWELLING UNITS ACCESSORY TO OTHER USES.**
5 ...

6 (b) In any NC, C, M, PDR, or Eastern Neighborhood Mixed Use District, except for
7 properties within the Western SoMa Special Use District, dwelling units which are integrated with
8 the working space of artists, artisans and other craftspersons shall be permitted as an
9 accessory use to such working space, when such dwelling units are occupied by a group of
10 persons including no more than four adults, and where the occupancy meets all applicable
11 provisions of the Building Code and Housing Code.

12 (1) In PDR and WMUG Districts, dwelling units permitted by Section 204.4(b)
13 may not represent more than one-fourth (¼) of the total floor area occupied by such use and
14 the principal use to which it is accessory.
15 ...

16 **SEC. 207.4. DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL**
17 **DISTRICTS.**
18 ...

19 (c) The dwelling unit density in the RCD District and NCT Districts, as listed in Section
20 702.1(b), shall not be limited by lot area, but by the applicable requirements and limitations
21 elsewhere in this Code, including but not limited to height, bulk, setbacks, open space,
22 exposure, and unit mix, as well as by applicable design guidelines, applicable elements and
23 area plans of the General Plan, and design review by the Planning Department.

24 **SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.**
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Table 207.5(b)
Density of Dwelling Units in
South of Market Mixed Use Districts

General Area District	Residential Density Limits
<i>Residential Enclave</i> (RED)	<i>One dwelling unit for each 400 sq. ft. of lot area</i>

SEC. 207.6. REQUIRED MINIMUM DWELLING UNIT MIX IN RTO, RCD, NCT, DTR, AND EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.

....

(b) Applicability.

(1) This Section shall apply in the RTO, RCD, NCT, DTR and Eastern Neighborhoods Mixed Use Districts.

(2) This Section shall apply to all applications for building permits and/or Planning Commission entitlements which propose the creation of five or more dwelling units.

(3) This Section does not apply to buildings for which 100 percent of the residential uses are: group housing, dwelling units which are provided at below market rates pursuant to Section ~~326.3(h)(2)(B)~~ 406(b)(1) of this Code, Single Room Occupancy Units, Student Housing (as defined in Sec. ~~106.36~~ 102.36), or housing specifically and permanently designated for seniors or persons with physical disabilities.

(c) Controls.

1 (1) For the RTO, Hayes-Gough NCT, Upper Market Street NCT, and NCT-3
2 districts, no less than 40 percent of the total number of dwelling units on site shall contain at
3 least two bedrooms. Any fraction resulting from this calculation shall be rounded to the
4 nearest whole number of dwelling units. While existing dwelling units in buildings which do not
5 comply with this Subsection need not be expanded to meet this requirement, all new dwelling
6 units shall provide at least two bedrooms when less than 40 percent of the total number of
7 dwelling units contain less than two bedrooms.

8 (2) For all other RTO, RCD and NCT districts, as well as DTR and Eastern
9 Neighborhoods Mixed Use Districts, one of the following two must apply;

10 (A) no less than 40 percent of the total number of proposed dwelling units
11 shall contain at least two bedrooms. Any fraction resulting from this calculation shall be
12 rounded to the nearest whole number of dwelling units, or

13 (B) no less than 30 percent of the total number of proposed dwelling units
14 shall contain at least three bedrooms. Any fraction resulting from this calculation shall be
15 rounded to the nearest whole number of dwelling units.

16 (d) **Modifications.**

17 (1) In NCT, RCD and RTO Districts, these requirements may be waived or
18 modified with Conditional Use Authorization. In addition to those conditions set forth in Section
19 303, the Planning Commission shall consider the following criteria:

20 (A) The project demonstrates a need or mission to serve unique
21 populations, or

22 (B) The project site or existing building(s), if any, feature physical
23 constraints that make it unreasonable to fulfill these requirements.

24 (2) In Eastern Neighborhoods Mixed Use Districts, these requirements may be
25 waived in return for provision of family-sized affordable units, pursuant to Section 319.4(b). To

1 receive this waiver, 100 percent of the total number of inclusionary units required under
 2 Section 315.4 or Section 319.4 shall contain at least two bedrooms. Also in Eastern
 3 Neighborhoods Mixed Use Districts, these requirements may be waived or modified through
 4 the Variance process set forth in Section 305, or in the case of projects subject to Section
 5 329, through the procedures of that section.

6 (3) In DTR Districts, these requirements may be modified per the procedures of
 7 Section 309.1.

8 **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING.**

9
 10 (a) The maximum number of bedrooms on each lot shall be as specified in the
 11 following table for the district in which the lot is located, except that in RTO, RTO-M, RCD,
 12 UMU, MUG, WMUG, MUR, MUO, WMUO, RED, RED-MX, SPD, DTR and all NCT districts the
 13 density of group housing shall not be limited by lot area, and except that for lots in NC
 14 Districts, the group housing density shall not exceed the number of bedrooms permitted in the
 15 nearest Residential District provided that the maximum density not be less than the amount
 16 permitted by the ratio specified for the NC District in which the lot is located.

17 **Table 208**
 18 **MAXIMUM DENSITY FOR**
 19 **GROUP HOUSING**

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
...	140

RED	
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1
2
3
4 **SEC. 261.2. ADDITIONAL HEIGHT LIMITS FOR THE FOLSOM STREET NCT DISTRICT.**

5 (a) Purpose. Folsom Street is intended to be the main street of the Western SoMa
6 neighborhood, with neighborhood-serving uses and a high-quality pedestrian environment. As such, it
7 is important to allow for appropriate development heights while also maximizing light and air to the
8 sidewalks, parks, plazas, and frontages along the street.

9 (b) Controls. In the Folsom Street NCT District, any portion of a building above 55 feet in
10 height shall be set back at least 15 feet from any property line fronting Folsom Street, except for those
11 features listed in Section 260(b) of this Code.

12 **SEC. 263.28. SPECIAL EXCEPTIONS. SALI DISTRICTS IN THE 40-55-X HEIGHT AND BULK DISTRICT.**

13 (a) Purpose. Arts activities are encouraged in the Western SoMa Planning Area Special Use
14 District, and especially in the SALI District. Therefore, additional development potential is provided in
15 the SALI District when additional space is provided for the exclusive use of arts activities.

16 (b) Applicability. This Section shall apply to all properties zoned SALI and a Height and Bulk
17 district of 40-55-X.

18 (c) Controls.

19 (1) Additional Height Permitted. In SALI Districts in the 40-55-X Height and Bulk
20 District, buildings are limited to a maximum height of 40 feet unless all of the following criteria are
21 met, in which case they may extend to a maximum height of 55 feet:

22 (A) At least one story of the building, as defined in Section 102.23, located on
23 the ground story or above, as defined in Section 102.24, is designated for the exclusive use of Arts
24 Activities, as defined in Section 102.2. If the ground floor is designed for the use of Arts Activities, it
25

1 shall also be permitted to contain lobbies, egress, building services, and other features necessary for
2 the operation of the building and permitted uses elsewhere in the building.

3 (B) Any such story dedicated to arts activities pursuant to subsections (2) and
4 (3) below, regardless of its location within the building, shall have a minimum floor-to-floor height of
5 15 feet.

6 (2) **Timing of Designation.** In the case of the new construction of a building that extends
7 beyond 40 feet in height, exclusive of permitted obstructions under Section 260(b), any designated arts
8 activity story shall be established prior to the issuance of a first building permit or along with any
9 associated Planning Commission action, whichever occurs first. In the case of buildings that were
10 constructed prior to the effective date of this Section that would be expanded such that they would
11 extend beyond 40 feet in height, exclusive of permitted obstructions under Section 260(b), any such
12 story shall be designated prior to the issuance of any building permit or along with any associated
13 Planning Commission action, whichever occurs first.

14 (3) **Recordation of Designation.** Notice of the designation of the arts activities story
15 shall be recorded as a restriction on the deed of the property along with plans clearly depicting the
16 designated story in relation to the balance of the building. A designated arts activity story may be re-
17 designated to a different story within the same building only if the newly designated story meets the
18 minimum criteria listed above. Such re-designation shall follow all required procedures listed in this
19 Section for the initial designation of an arts activities story. In no case may the designated arts activity
20 story be converted to a use other than arts activity without complete removal of all portions of the
21 building that extend above 40 feet in height, exclusive of permitted obstructions under Section 260(b).

1 **SEC. 263.29. SPECIAL HEIGHT EXCEPTIONS. PERMITTED BUILDING HEIGHTS IN**
2 **THE WESTERN SOMA SPECIAL USE DISTRICT.**

3 In the 40-X/50-X, 40-X/65-B, 45-X/65-B, 55-X/65-B, and 65-B/75-B Height and Bulk Districts,
4 as designated on Section Maps HT01, HT07, and HT08 of the Zoning Map, located within the
5 boundaries of the Western SoMa Special Use District, but excluding those properties in the SALI
6 District, height exceptions above the base height limit to the maximum height limit may be approved for
7 a project in accordance with the procedures and criteria required for a conditional use authorization
8 as set forth in Sections 303 and 823(c)(12) of this Code.

9 **SEC. 235. SPECIAL USE DISTRICTS.**

10 In addition to the use districts that are established by Section 201 of this Code, there
11 shall also be in the City such special use districts as are established in this Section and
12 Sections 236 through 249.5, and 823 in order to carry out further the purposes of this Code.
13 The designations, locations and boundaries of these special use districts shall be as provided
14 in Sections 236 through 249.5, and 823 and as shown on the Zoning Map referred to in
15 Section 105 of this Code, subject to the provisions of Section 105. The original of the
16 numbered sectional maps of the Zoning Map for Special Use Districts referred to in Sections
17 236 through 249.5 and 823 is on file with the Clerk of the Board of Supervisors under File No.
18 191-67-2. and No. 273.80. In any special use district the provisions of the applicable use
19 district established by Section 201 shall prevail, except as specifically provided in Sections
20 236 through 249.5 and 823.

21 **SEC. 270.2. SPECIAL BULK AND OPEN SPACE REQUIREMENT: MID-BLOCK**
22 **ALLEYS IN LARGE LOT DEVELOPMENT IN THE EASTERN NEIGHBORHOODS MIXED**
23 **USE, SOUTH OF MARKET MIXED USE, C-3, C-M, AND DTR DISTRICTS.**

24 (e) **Design and Performance Standards.** The alleys provided per subsections (a) and
25 (b) above shall meet the following standards:

1 (1) Generally be located as close to the middle portion of the subject block face
2 as possible, perpendicular to the subject frontage and connect to existing adjacent streets and
3 alleys;

4 (2) Provide pedestrian access;

5 (3) Provide no, limited or full vehicular access, as specific conditions warrant;

6 (4) Have a minimum width of 20 feet from building face to building face,
7 exclusive of those obstructions allowed pursuant to Section 136, and a minimum clearance
8 height from grade of 15 feet at all points. In RED, RED-MX, WMUG, WMUO, and SALI Districts,
9 the minimum width shall be 30 feet;

10 (5) Have a minimum clear walking width of 10 feet free of any obstructions in the
11 case of a pedestrian-only right-of-way, and dual sidewalks each of not less than 6 feet in width
12 with not less than 4 feet minimum clear walking width in the case of an alley with vehicular
13 access;

14 (6) In the Eastern Neighborhoods Mixed Use Districts, be at least 60% open to
15 the sky, including those encroachments permitted in front setbacks by Section 136 of this
16 Code;

17 (7) Provide such ingress and egress as will make the area easily accessible to
18 the general public;

19 (8) Be protected from uncomfortable wind, as called for elsewhere in this Code;

20 (9) Be ungated and publicly accessible 24 hours per day, as defined elsewhere
21 in this Section;

22 (10) Be provided with appropriate paving, furniture, and other amenities that
23 encourage pedestrian use, and be landscaped to greatest extent feasible;

1 (11) Be provided with ample pedestrian lighting to ensure pedestrian comfort
2 and safety;

3 (12) Be free of any changes in grade or steps not required by the underlying
4 natural topography and average grade; and

5 (13) Be fronted by active ground floor uses, as defined in Section 145.1, to the
6 extent feasible.

7 (14) New buildings abutting mid-block alleys provided pursuant to this Section
8 270.2 shall feature upper story setbacks according to the provisions of Section 261.1.

9 . . .

10 **SEC. 316. PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN**
11 **NEIGHBORHOOD COMMERCIAL, EASTERN NEIGHBORHOODS MIXED USE**
12 **DISTRICTS, AND SOUTH OF MARKET MIXED USE DISTRICTS AND FOR LIVE/WORK**
13 **UNITS IN RH AND RM DISTRICTS.**

14 In addition to the provisions of Sections 306.1, 306.4, and 306.5 of this Code, the
15 following procedures set forth in this and the following sections shall govern applications for
16 conditional use authorization where this authorization is required pursuant to Sections 178,
17 179, 181(f) or (g), 209.9(f), 209.9(h), 260(b)(2)(P) or 263.11 of this Code; zoning categories
18 .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 729 of this
19 Code for each Neighborhood Commercial District; Sections 813 through 818 for the South of
20 Market Mixed Use Districts; ~~or~~ Section 840 through 843 for the Eastern Neighborhoods Mixed
21 Use Districts; *or Section 823 for the Western SoMa Special Use District.* The criteria for
22 determinations on such applications are set forth in Section 303(c) of this Code. Additional
23 criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 of
24 Article 7 are set forth in the Section of this Code containing the control. Additional criteria for
25 determinations on certain applications within Mixed Use Districts are set forth in Sections

1 263.11 and 803.5 through 803.9 of this Code. Additional criteria for determination on certain
2 applications within the Western SoMa Special Use District are set forth in Section 823 of this Code.

3
4 **SEC. 329. LARGE PROJECT AUTHORIZATION IN EASTERN NEIGHBORHOODS**
5 **MIXED USE DISTRICTS.**

6 ...
7 (b) **Applicability.** This Section applies to all projects in the Eastern Neighborhoods
8 Mixed Use, except projects in the Western SoMa Special Use District, subject to Section 823(c)(12),
9 that meet at least one of the following criteria:

10 (1) The project includes the construction of a new building greater than 75 feet in
11 height (excluding any exceptions permitted per Section 260(b)), or includes a vertical addition
12 to an existing building with a height of 75 feet or less resulting in a total building height greater
13 than 75 feet; or

14 (2) The project involves a net addition or new construction of more than 25,000
15 gross square feet.

16 ...
17 **SEC. 401. DEFINITIONS.**

18 ...
19 "Eastern neighborhoods Public Benefits Program." The program intended to
20 implement the community improvements identified in the ~~four~~ five Area Plans affiliated with the
21 Eastern Neighborhoods (Central Waterfront, East SoMa, Western SoMa, Mission, and
22 Showplace Square/Potrero Hill), as articulated in the Eastern Neighborhoods Public Benefits
23 Program Document, on file with the Clerk of the Board in File No. 081155, and the Western
24 SoMa Public Benefits Program Document, on file with the Clerk of the Board in File No. 130004.)

1 **SEC. 423.1. FINDINGS.**

2 **A. New Housing and Other Land Uses.** San Francisco is experiencing a severe
3 shortage of housing available to people at all income levels. In addition, San Francisco has an
4 ongoing affordable housing crisis. Many future San Francisco workers will be earning below
5 80% of the area's median income, and even those earning moderate or middle incomes,
6 above the City's median, are likely to need assistance to continue to live in San Francisco. In
7 2007, the median income for a family of four in the city was about \$86,000. Yet median home
8 prices suggest that nearly twice that income is needed to be able to a dwelling suitable for a
9 family that size. Only an estimated 10% of households in the City can afford a median-priced
10 home.

11 The Association of Bay Area Governments' (ABAG) Regional Housing Needs
12 Determination (RHND) forecasts that San Francisco must produce over 31,000 new units in
13 the next five years, or over 6,000 new units of housing annually, to meet projected needs. At
14 least 60%, or over 18,000, of these new units should be available to households of very low,
15 low, and moderate incomes. With land in short supply in the City, it is increasingly clear that
16 the City's formerly industrial areas offer a critical source of land where this great need for
17 housing, particularly affordable housing, can be partially addressed.

18 San Francisco's Housing Element establishes the Eastern Neighborhoods as a target
19 area for development of new housing to meet San Francisco's identified housing targets. The
20 release of some of the area's formerly industrial lands, no longer needed to meet current
21 industrial or PDR needs, offer an opportunity to achieve higher affordability, and meet a
22 greater range of need. The Mission, Showplace Square - Potrero Hill, East SoMa, Western
23 SoMa and Central Waterfront Area Plans of the General Plan (Eastern Neighborhoods Plans)
24 thereby call for creation of new zoning intended specifically to meet San Francisco's housing
25 needs, through higher affordability requirements and through greater flexibility in the way

1 those requirements can be met, as described in Section 419. To support this new housing,
2 other land uses, including PDR businesses, retail, office and other workplace uses will also
3 grow in the Eastern Neighborhoods.

4 . . .

5 **D. Programmed Improvements.** General public improvements and amenities needed
6 to meet the needs of both existing residents, as well as those needs generated by new
7 development, have been identified through the community planning processes of the Area
8 Plans, In the Mission, Showplace Square, Potrero Hill, Eastern SoMa and Central Waterfront Areas,
9 these general public improvements and amenities were based on the standards-based analysis
10 contained in the Eastern Neighborhoods Needs Assessment, San Francisco Planning
11 Department, Case No. 2004.0160UU on file with the Clerk of the Board in File No. 081155,
12 and on community input during the Plan adoption process. The Planning Department
13 developed generalized cost estimates, based on similar project types implemented by the City
14 in the relevant time period, to provide reasonable approximates for the eventual cost of
15 providing necessary Public Benefits in the Plan Areas (information on these cost estimates is
16 located in the Eastern Neighborhoods and Western SoMa Public Benefits Program Documents).
17 However specific public improvements are still under development and will be further clarified
18 through interdepartmental efforts with input from the Interagency Plan Implementation
19 Committee, the Citizens Advisory Committee, and other stakeholders. Specific project
20 identification, design work, engineering, and environmental review will still be required and
21 may alter the nature of the improvements, as well as the sum total of the cost for these
22 improvements.

23 **E. Eastern Neighborhoods Impact Fee.** Development impact fees are an effective
24 approach to mitigate impacts associated with growth in population. The proposed Eastern
25 Neighborhoods Impact Fee would be dedicated to infrastructure improvements in the Plan

1 Area, directing benefits of the fund clearly to those who pay into the fund, by providing
2 necessary infrastructure improvements and housing needed to serve new development. The
3 net increases in individual property values in these areas due to the enhanced neighborhood
4 amenities financed with the proceeds of the fee are expected to exceed the payments of fees
5 by project sponsors.

6 The fee rate has been calculated by the Planning Department based on accepted
7 professional methods for the calculation of such fees, and described fully in the Eastern
8 Neighborhoods *and Western SoMa* Nexus Studies, San Francisco Planning Department, Case
9 No. 2004.0160UU *and 2008.0877* on file with the Clerk of the Board in File No. 081155 *for the*
10 *Mission, Showplace Square, Potrero Hill, East SoMa and Central Waterfront Areas, and File No.*
11 *130002 for the Western SoMa Plan Area.* The Eastern Neighborhoods *and Western SoMa* Public
12 Benefits Program Document contains a full discussion of impact fee rationale.

13 The proposed fee would cover less than the full nexus as calculated by the Eastern
14 Neighborhoods Nexus Studies. The proposed fees only cover impacts caused by new
15 development and are not intended to remedy existing deficiencies. Those costs will be paid
16 for by public, community, and other private sources as described in the Eastern
17 Neighborhoods Public Benefits Program. Residential and non-residential impact fees are only
18 one of many revenue sources necessary to create the "complete neighborhoods" that will
19 provide appropriate amenities for residents of the Eastern Neighborhoods.

20 **SEC. 423.2. DEFINITIONS.**

21 (a) In addition to the definitions set forth in Section 401 of this Article, the following
22 definitions shall govern interpretation of Section 423.1 et seq.

23 (1) **Tier 1.**

24 (A) All development on sites which received a height increase of eight
25 feet or less, or received a reduction in height, as part of the Eastern Neighborhoods Plan (on

1 file with the Clerk of the Board of Supervisors in File No. 081154 or the Western SoMa
2 Community Plan (on file with the Clerk of the Board of Supervisors in File No. 130001);

3 (B) The residential portion of all 100% affordable housing projects;

4 (C) The residential portion of all projects within the Urban Mixed Use
5 (UMU) district; and

6 (D) All changes of use within existing structures.

7 (2) **Tier 2.** All additions to existing structures or new construction on other sites
8 not listed in subsection (1) above which received a height increase of nine to 28 feet as part of
9 the Eastern Neighborhoods Plan (on file with the Clerk of the Board of Supervisors in File No.
10 081154) or the Western SoMa Community Plan (on file with the Clerk of the Board of Supervisors in
11 File No. 130001);

12 For the purposes of this Section, increase in heights in the WMUG District in Assessor's Blocks
13 3733 and 3752 shall be measured by the base height (as defined in Section 263.11) prior to the effective
14 date of the Western SoMa Plan (Ordinance No. _____);

15 (3) **Tier 3.** All additions to existing structures or new construction on other sites
16 not listed in subsection (1) above which received a height increase of 29 feet or more as part
17 of the Eastern Neighborhoods Plan (on file with the Clerk of the Board of Supervisors in File
18 No. 081154) or the Western SoMa Community Plan (on file with the Clerk of the Board of Supervisors
19 in File No. 130001).

20 For purposes of this Section, increase in heights in the MUR District shall be measured
21 by the base height (as defined in Section 263.11) prior to the effective date of the Eastern
22 Neighborhoods (Ordinance #298-08).

1 **SEC. 423.3. APPLICATION OF EASTERN NEIGHBORHOODS INFRASTRUCTURE**
2 **IMPACT FEE.**

3
4 **(d) Option for In-Kind Provision of Community Improvements and Fee Credits.**
5 Project sponsors may propose to directly provide community improvements to the City. In
6 such a case, the City may enter into an In-Kind Improvements Agreement with the sponsor
7 and issue a fee waiver for the Eastern Neighborhoods Infrastructure Impact Fee from the
8 Planning Commission, subject to the following rules and requirements:

9 **(1) Approval criteria.** The City shall not enter into an In-Kind Agreement unless
10 the proposed in-kind improvements meet an identified community need as analyzed in the
11 Eastern Neighborhoods Community Improvements Program and where they substitute for
12 improvements that could be provided by the Eastern Neighborhoods *Community Improvements*
13 *Public Benefits* Fund (as described in Section 423.5). The City may reject in-kind
14 improvements if they are not consistent with the priorities identified in the Eastern
15 Neighborhoods Area Plans (Central Waterfront, East SoMa, *Western SoMa*, Mission, and
16 Showplace Square/Potrero Hill), by the Interagency Plan Implementation Committee (see
17 Section 36 of the Administrative Code), the Eastern Neighborhoods Citizens Advisory
18 Committee, or other prioritization processes related to Eastern Neighborhoods Citizens
19 community improvements programming. No physical improvement or provision of space
20 otherwise required by the Planning Code or any other City Code shall be eligible for
21 consideration as part of this In-Kind Improvements Agreement.

22 **(2) Valuation.** The Director of Planning shall determine the appropriate value of
23 the proposed in-kind improvements. For the purposes of calculating the total value, the project
24 sponsor shall provide the Planning Department with a cost estimate for the proposed in-kind
25 improvement(s) from two independent sources or, if relevant, real estate appraisers. If the City

1 has completed a detailed site-specific cost estimate for a planned improvement this may
2 serve as one of the cost estimates provided it is indexed to current cost of construction.

3 (3) **Content of the In-Kind Improvements Agreement.** The In-Kind
4 Improvements Agreement shall include at least the following items:

5 (i) A description of the type and timeline of the proposed in-kind
6 improvements.

7 (ii) The appropriate value of the proposed in-kind improvement, as
8 determined in subsection (2) above.

9 (iii) The legal remedies in the case of failure by the project sponsor to
10 provide the in-kind improvements according to the specified timeline and terms in the
11 agreement. Such remedies shall include the method by which the City will calculate accrued
12 interest.

13 (4) **Approval Process.** The Planning Commission must approve the material
14 terms of an In-Kind Agreement. Prior to the parties executing the Agreement, the City
15 Attorney must approve the agreement as to form and to substance. The Director of Planning
16 is authorized to execute the Agreement on behalf of the City. If the Planning Commission
17 approves the In-Kind Agreement, it shall waive the amount of the Eastern Neighborhoods
18 Infrastructure Impact Fee by the value of the proposed In-Kind Improvements Agreement as
19 determined by the Director of Planning. No credit shall be made for land value unless
20 ownership of the land is transferred to the City or a permanent public easement is granted, the
21 acceptance of which is at the sole discretion of the City. The maximum value of the In-Kind
22 Improvements Agreement shall not exceed the required Eastern Neighborhoods Infrastructure
23 Impact Fee.

24 (5) **Administrative Costs.** Project sponsors that pursue an In-Kind
25 Improvements Agreement will be billed time and materials for any administrative costs that the

1 Planning Department or any other City entity incurs in negotiating, drafting, and monitoring
2 compliance with the In-Kind Improvements Agreement.

3 ...

4 **SEC. 423.5. THE EASTERN NEIGHBORHOODS PUBLIC BENEFITS FUND.**

5 ...

6 (b) Expenditures from the Fund shall be recommended by the Planning Commission,
7 and administered by the Board of Supervisors.

8 (1) All monies deposited in the Fund or credited against Fund obligations shall be
9 used to design, engineer, acquire, and develop and improve public open space and
10 recreational facilities; transit, streetscape and public realm improvements; and community
11 facilities including child care and library materials, as defined in the Eastern Neighborhoods
12 and Western SoMa Nexus Studies; or housing preservation and development within the Eastern
13 Neighborhoods Plan Area. Funds may be used for childcare facilities that are not publicly
14 owned or "publicly-accessible." Funds generated for 'library resources' should be used for
15 materials in branches that directly service Eastern Neighborhoods residents. Monies from the
16 Fund may be used by the Planning Commission to commission economic analyses for the
17 purpose of revising the fee, and/or to complete an updated nexus study to demonstrate the
18 relationship between development and the need for public facilities if this is deemed
19 necessary.

20 (2) Funds may be used for administration and accounting of fund assets, for
21 additional studies as detailed in the Eastern Neighborhoods Public Benefits Program
22 Document, and to defend the Community Stabilization fee against legal challenge, including
23 the legal costs and attorney's fees incurred in the defense. Administration of this fund includes
24 time and materials associated with reporting requirements, facilitating the Eastern
25 Neighborhoods Citizens Advisory Committee meetings, and maintenance of the fund. All

1 interest earned on this account shall be credited to the Eastern Neighborhoods Public
2 Benefits Fund.

3 (c) Funds shall be deposited into specific accounts according to the improvement type
4 for which they were collected. Funds from a specific account may be used towards a different
5 improvement type, provided said account or fund is reimbursed over a five-year period of fee
6 collection. Funds shall be allocated to accounts by improvement type as described below:

7 (1) Funds collected from all zoning districts in the Eastern Neighborhoods
8 Program Area, excluding Designated Affordable Housing Zones shall be allocated to accounts
9 by improvement type according to Table 423.5.

10 (2) Funds collected in designated affordable housing zones (Mission NCT and
11 MUR (as defined in 401), shall be allocated to accounts by improvement type as described in
12 Table 423.5A. The revenue devoted to affordable housing preservation and development shall
13 be deposited into a specific amount to be held by the Mayor's Office of Housing.

14 A. All funds collected from projects in the Mission NCT that are
15 earmarked for affordable housing preservation and development shall be expended on
16 housing programs and projects within the Mission Area Plan boundaries.

17 B. All funds collected from projects in the MUR that are earmarked for
18 affordable housing preservation and development shall be expended on housing programs
19 and projects shall be expended within the boundaries of 5th to 10th Streets/Howard to
20 Harrison Streets.

21 C. Collectively, the first \$10 million in housing fees collected between the
22 two Designated Affordable Housing Zones shall be utilized for the acquisition and
23 rehabilitation of existing housing.

24 (3) All funds are supported by the Eastern Neighborhoods *and Western SoMa*
25 Nexus Studies, San Francisco Planning Department, Case No. 2004.0160 *and 2008-0877*,

1 and monitored according to the Eastern Neighborhoods Area Plans Monitoring Program
2 required by the Administrative Code Section 10E and detailed by separate resolution.

3 ...

4 **SEC. 429.2. APPLICATION.**

5 This section shall apply to:

6 ...

7 (b) all non-residential projects that involve construction of a new building or addition of
8 floor area in excess of 25,000 square feet and that have submitted their first complete
9 Development Application on or after January 1, 2013 on the following parcels:

10 (1) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, *and* UMU,
11 WMUG, WMUO and SALI Districts;

12 (2) properties that are zoned MUG, MOU, or MUR and that are north of
13 Division/Duboce/13th Streets; and

14 (3) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and
15 7295 (Stonestown Galleria Mall).

16 For the purposes of this Section, a "Development Application" shall mean any
17 application for a building permit, site permit, environmental review, Preliminary Project
18 Assessment (PPA), Conditional Use, or Variance.

19 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL DISTRICTS.**

20 ...

21 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in
22 all Neighborhood Commercial Districts subject to the limits set forth below.

23 (1) **NC-1 and NCT-1 Districts.**

1 (A) **Window Signs.** The total area of all window signs, as defined in
2 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
3 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

4 (B) **Wall Signs.** The area of all wall signs shall not exceed one square
5 foot per square foot of street frontage occupied by the business measured along the wall to
6 which the signs are attached, or 50 square feet for each street frontage, whichever is less.
7 The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is
8 attached. Such signs may be nonilluminated or indirectly illuminated; or during business
9 hours, may be directly illuminated.

10 (C) **Projecting Signs.** The number of projecting signs shall not exceed
11 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
12 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which
13 it is attached. No part of the sign shall project more than 75 percent of the horizontal distance
14 from the street property line to the curblineline, or six feet six inches, whichever is less. The sign
15 may be nonilluminated or indirectly illuminated, or during business hours, may be directly
16 illuminated.

17 (D) **Signs on Awnings.** Sign copy may be located on permitted awnings
18 in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section
19 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly
20 illuminated.

21 (2) **NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,**
22 **Outer Clement Street, Upper Fillmore Street, Inner Sunset, Haight Street, Hayes-Gough,**
23 **Upper Market Street, North Beach, Ocean Avenue, Pacific Avenue, Polk Street,**
24 **Sacramento Street, SoMa, Union Street, Valencia Street, 24th Street - Mission, 24th**
25

1 **Street - Noe Valley, West Portal Avenue, *and* Glen Park, RCD, Folsom Street**

2 **Neighborhood Commercial Districts.**

3 (A) **Window Signs.** The total area of all window signs, as defined in
4 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
5 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

6 (B) **Wall Signs.** The area of all wall signs shall not exceed two square
7 feet per foot of street frontage occupied by the use measured along the wall to which the
8 signs are attached, or 100 square feet for each street frontage, whichever is less. The height
9 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
10 height of the lowest of any residential windowsill on the wall to which the sign is attached,
11 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

12 (C) **Projecting Signs.** The number of projecting signs shall not exceed
13 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
14 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which
15 it is attached, or the height of the lowest of any residential windowsill on the wall to which the
16 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
17 the horizontal distance from the street property line to the curblin, or six feet six inches,
18 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during
19 business hours, may be directly illuminated.

20 (D) **Signs on Awnings and Marquees.** Sign copy may be located on
21 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as
22 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be
23 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
24 or places of entertainment may be directly illuminated during business hours.

1 (E) **Freestanding Signs and Sign Towers.** With the exception of
2 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one
3 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the
4 building or buildings are recessed from the street property line. The existence of a
5 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
6 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
7 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the
8 sign shall project more than 75 percent of the horizontal distance from the street property line
9 to the curblin, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
10 illuminated; or during business hours, may be directly illuminated.

11 (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial**
12 **Districts.**

13 (A) **Window Signs.** The total area of all window signs, as defined in
14 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
15 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

16 (B) **Wall Signs.** The area of all wall signs shall not exceed three square
17 feet per foot of street frontage occupied by the use measured along the wall to which the
18 signs are attached, or 150 square feet for each street frontage, whichever is less. The height
19 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
20 height of the lowest of any residential windowsill on the wall to which the sign is attached,
21 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

22 (C) **Projecting Signs.** The number of projecting signs shall not exceed
23 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32
24 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it
25 is attached, or the height of the lowest of any residential windowsill on the wall to which the

1 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
2 the horizontal distance from the street property line to the curblineline, or six feet six inches,
3 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

4 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located
5 on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as
6 defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be
7 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
8 or places of entertainment may be directly illuminated during business hours.

9 (E) **Freestanding Signs and Sign Towers.** With the exception of
10 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4) of this
11 Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign
12 if the building or buildings are recessed from the street property line. The existence of a
13 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
14 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
15 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the
16 sign shall project more than 75 percent of the horizontal distance from the street property line
17 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
18 illuminated, or during business hours, may be directly illuminated.

19 (4) **Special Standards for Automotive Gas and Service Stations.** For
20 automotive gas and service stations in Neighborhood Commercial Districts, only the following
21 signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards
22 in this Section 607.1.

23 (A) A maximum of two oil company signs, which shall not extend more
24 than 10 feet above the roofline if attached to a building, or exceed the maximum height
25 permitted for freestanding signs in the same district if freestanding. The area of any such sign

1 shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or
2 signs that are within 10 feet of the street property line shall not exceed 80 square feet in area.
3 No such sign shall project more than five feet beyond any street property line. The areas of
4 other permanent and temporary signs as covered in Subparagraph (B) below shall not be
5 included in the calculation of the areas specified in this Subparagraph.

6 (B) Other permanent and temporary business signs, not to exceed 30
7 square feet in area for each such sign or a total of 180 square feet for all such signs on the
8 premises. No such sign shall extend above the roofline if attached to a building, or in any case
9 project beyond any street property line or building setback line.

10 ...
11 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

12 (a) The following districts are established for the purpose of implementing the
13 Commerce and Industry element and other elements of the General Plan, according to the
14 objective and policies stated therein. Description and Purpose Statements outline the main
15 functions of each Neighborhood Commercial (NC) District in the Zoning Plan for San
16 Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

17 The description and purpose statements and land use controls applicable to each of
18 the general and individual area districts are set forth in Sections 710.1 through 784 of this Code
19 for each district class. The boundaries of the various Neighborhood Commercial Districts are
20 shown on the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the
21 provisions of that Section.

<u>Named Neighborhood Commercial Individual Area Districts</u>	Section Number
...	
<u>Glen Park Neighborhood Commercial Transit District</u>	<u>§ 738.1</u>
<u>Noriega Street Neighborhood Commercial District</u>	<u>§ 739.1</u>
<u>Irving Street Neighborhood Commercial District</u>	<u>§ 740.1</u>
<u>Taraval Street Neighborhood Commercial District</u>	<u>§ 741.1</u>
<u>Judah Street Neighborhood Commercial District</u>	<u>§ 742.1</u>
<u>Folsom Street Neighborhood Commercial Transit District</u>	<u>§ 743.1</u>
<u>Regional Commercial District</u>	<u>§ 744.1</u>

(b) The following districts are Neighborhood Commercial Transit (NCT) Districts, including both general area districts and individual area districts identified by street or area name. These districts are a subset of the Neighborhood Commercial (NC) Districts.

Neighborhood Commercial Transit Districts	Section Number
...	
<u>Folsom Street Neighborhood Commercial Transit District</u>	<u>§ 743.1</u>

SEC. 703.2. USES PERMITTED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

(b) **Use Limitations.** The uses permitted in Neighborhood Commercial Districts are either principal, conditional, accessory, or temporary uses as stated in this Section, and include those uses set forth or summarized and cross-referenced in the zoning control

1 categories as listed in *Paragraph (a) in Sections 710.1 through 737.1* of this Code for each district
2 class.

3 (1) **Permitted Uses.** All permitted uses shall be conducted within an enclosed building
4 in Neighborhood Commercial Districts, unless otherwise specifically allowed in this Code.
5 Exceptions from this requirement are: uses which, when located outside of a building, qualify
6 as an outdoor activity area, as defined in Section 790.70 of this Code; accessory off-street
7 parking and loading and other uses listed below which function primarily as open-air uses, or
8 which may be appropriate if located on an open lot, outside a building, or within a partially
9 enclosed building, subject to other limitations of this Article 7 and other sections of this Code.

No.	Zoning Control Category
.56	Automobile Parking
.57	Automotive Gas Station
.58	Automotive Service Station
.60	Automotive Wash
.61	Automobile Sale or Rental
.81	Other Institutions, Large (selected)
.83	Public Use (selected)
.95	Community Residential Parking

22
23 If there are two or more uses in a structure and none is classified below under Section
24 703.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered
25 separately as independent principal, conditional or temporary uses.

1 (A) **Principal Uses.** Principal uses are permitted as of right in a Neighborhood
2 Commercial District, when so indicated in *Sections 710.1 through 737.1 of this Code* for each
3 district class.

4 (B) **Conditional Uses.** Conditional uses are permitted in a Neighborhood Commercial
5 District when authorized by the Planning Commission; whether a use is conditional in a given
6 district is indicated in *Sections 710.10 through 737.1 of this Code*. Conditional uses are subject to
7 the provisions set forth in Sections 178, 179, 303, and 316 through 316.6 of this Code.

8 (i) An establishment which sells beer or wine with motor vehicle fuel is a conditional
9 use, and shall be governed by Section 229.

10 (ii) Notwithstanding any other provision of this Article, a change in use or demolition of
11 a movie theater use, as set forth in Section 790.64, shall require conditional use authorization.

12 This Subsection shall not authorize a change in use if the new use or uses are
13 otherwise prohibited.

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

18 (iv) Large-Scale Urban Agriculture, as defined in Section 102.35(b), shall require
19 conditional use authorization.

20 (C) **Accessory Uses.** Except as prohibited in Section 728 and subject to the limitations
21 set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and NC
22 Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and Loading
23 as Accessory Uses) of this Code, a related minor use which is either necessary to the
24 operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental
25 and subordinate to any such use, shall be permitted as an accessory use when located on the

1 same lot. Any use which does not qualify as an accessory use shall be classified as a
2 principal or conditional use, unless it qualifies as a temporary use under Sections 205 through
3 205.4 of this Code.

4 No use will be considered accessory to a permitted principal or conditional use which
5 involves or requires any of the following:

6 (i) The use of more than 1/3 of the total floor area occupied by such use and the
7 principal or conditional use to which it is accessory, except in the case of accessory off-street
8 parking and loading and accessory wholesaling, manufacturing or processing of foods, goods,
9 or commodities;

10 (ii) Any Bar or Restaurant, or any other retail establishment which serves liquor for
11 consumption on-site;

12 (iii) Any Take-Out Food use, as defined in Section 790.122, except for a Take-Out
13 Food use which occupies 1/3 of the total floor area or up to 500 s/f whichever is more
14 restrictive in a general grocery or specialty grocery store. This Take-Out Food use includes
15 the area devoted to food preparation and service and excludes storage and waiting areas;

16 (iv) Any Take-Out Food use, as defined in Section 790.122, except for a Take-Out
17 Food use operating as a minor and incidental use within a Restaurant or Limited-Restaurant
18 use;

19 (v) The wholesaling, manufacturing or processing of foods, goods, or commodities on
20 the premises of an establishment which does not also use or provide for retail sale of such
21 foods, goods or commodities at the same location where such wholesaling, manufacturing or
22 processing takes place.

23 (vi) Any retail liquor sales, as defined in Section 790.55, except for beer, wine, and/or
24 liquor sales for the consumption off the premises with a State of California Alcoholic Beverage
25 Control ("ABC") Board License type 20 (off-sale beer and wine) or type 21 (off-sale general)

1 which occupy less than 15% of the gross square footage of the establishment (including all
2 areas devoted to the display and sale of alcoholic beverages) in a general grocery store or
3 specialty grocery store, or Limited-Restaurant use (ABC license type 20 only).

4 (vii) Medical Cannabis Dispensaries as defined in 790.141.

5 The foregoing rules shall not prohibit take-out food activity which operates in conjunction with
6 a Limited-Restaurant or a Restaurant. A Limited-Restaurant or a Restaurant, by definition,
7 includes take-out food as an accessory and necessary part of its operation.

8 (viii) 1 Any other entertainment use, as defined in Section 790.38, except for one that
9 *both (1) involves a Limited Live Performance Permit as set forth in Police Code Section 1060*
10 *et seq. and (2) is located outside of the RCD.*

11 (D) **Temporary Uses.** Temporary uses are permitted uses, subject to the provisions
12 set forth in Section 205 of this Code.

13 (2) **Not Permitted Uses.**

14 (A) Uses which are not specifically listed in this Article are not permitted unless they
15 qualify as a nonconforming use pursuant to Sections 180 through 186.1 of this Code or are
16 determined by the Zoning Administrator to be permitted uses in accordance with Section
17 307(a) of this Code.

18 (B) No use, even though listed as a permitted use, shall be permitted in a
19 Neighborhood Commercial District which, by reason of its nature or manner of operation,
20 creates conditions that are hazardous, noxious, or offensive through the emission of odor,
21 fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive
22 noise.

1 (C) The establishment of a use that sells alcoholic beverages, other than beer and
2 wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by Section 229.
3 Except in the SoMa NCT, where these uses are permitted accessory uses.

4 **SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM**
5 **STREET NCT AND RCD DISTRICTS**

6 *The following controls are intended to support the economic viability of buildings of historic*
7 *importance within the Folsom NCT and RCD Districts.*

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

13 (b) *All office uses, as defined in Planning Code Section 790.69, are permitted as of right,*
14 *provided that prior to the issuance of any necessary permits, the Zoning Administrator, with the advice*
15 *of the Historic Preservation Commission, determines that allowing the use will enhance the feasibility*
16 *of preserving the building.*

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

20 **SEC. 743.1. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

21 *The Folsom Street Neighborhood Commercial Transit District (Folsom Street NCT) is located*
22 *along Folsom Street in the Western SoMa area, generally between 7th Street and 10th Streets.*

23 *The Folsom Street NCT has a pattern of ground floor commercial and upper story residential*
24 *units. Controls are designed to permit moderate-scale buildings and uses, protecting rear yards above*
25 *the ground story and at residential levels. Active, neighborhood-serving commercial development is*

1 required at the ground story where transparency and fenestration requirements add to the activation at
 2 the street level. While offices and general retail sales uses may locate on the second story, most
 3 commercial uses are prohibited above the second story. In order to protect the balance and variety of
 4 retail use, bars and restaurants are permitted on the ground floor, and liquor stores are allowed with a
 5 conditional use. Continuous non-residential frontage is promoted by prohibiting drive-up facilities,
 6 some automobile uses, and permitting a mix of commercial and production, distribution, and repair
 7 uses. Parking is required to be setback if above grade or locate below ground. Active, pedestrian-
 8 oriented ground floor uses are required.

9 Housing development in new buildings is encouraged above the ground story, and student
 10 housing is only permitted in newly constructed buildings. Housing density is not controlled by the size
 11 of the lot or by density controls, but by bedroom counts. Given the area's central location and
 12 accessibility to the City's transit network, parking for residential and commercial uses is not required.

13 Table 743

14 **FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING**

15 **CONTROL TABLE**

			<u>Folsom Street</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
743. 10	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250--252, 260, 270, 271</u>	<u>65-X to 75-X. See Sectional Zoning Maps 1 and 7. Height sculpting required on narrow streets, §261.1</u>
743.	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft. C</u>

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<u>11</u>			<u>10,000 sq. ft. & above</u>
<u>743.</u> <u>12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at the second story and above and at all residential levels</u>
<u>743.</u> <u>13a</u>	<u>Street Frontage, Above-Grade Parking Setback and Active Uses</u>	<u>§ 145.1</u>	<u>Minimum 25 feet on ground floor, 15 feet on floors above</u>
<u>743.</u> <u>13b</u>	<u>Street Frontage, Required Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>None.</u>
<u>743.</u> <u>13c</u>	<u>Street Frontage, Parking and Loading access restrictions</u>	<u>§ 155(r)</u>	<u>Requirements apply.</u>
<u>743.</u> <u>14</u>	<u>Awning</u>	<u>§§ 136.1(a), 790.20</u>	<u>P</u>
<u>743.</u> <u>15</u>	<u>Canopy</u>	<u>§§ 136.1(b), 790.26</u>	<u>P</u>
<u>743.</u> <u>16</u>	<u>Marquee</u>	<u>§§ 136.1(c), 790.58</u>	<u>P</u>
<u>743.</u> <u>17</u>	<u>Street Trees</u>	<u>§ 138.1</u>	<u>Required</u>
<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
<u>743.</u> <u>20</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123, 124(a), 124(b)</u>	<u>2.5 to 1</u>

1	<u>743.</u>	<u>Use Size [Non-Residential]</u>	<u>§§ 121.2, 790.130</u>	<u>P up to 3,999 sq. ft.; C</u>
2	<u>21</u>			<u>4,000 sq. ft. & above</u>
3		<u>Off-Street Parking,</u>	<u>§§ 150, 151.1, 153-</u>	<u>None required. Limits set</u>
4	<u>743.</u>	<u>Commercial/Institutional</u>	<u>-157, 159--160,</u>	<u>forth in Section 151.1</u>
5	<u>22</u>		<u>166, 204.5</u>	
6		<u>Off-Street Freight Loading</u>	<u>§§ 150, 152--155,</u>	<u>Generally, none required if</u>
7	<u>743.</u>		<u>161(b), 204.5</u>	<u>gross floor area is less than</u>
8	<u>23</u>			<u>10,000 sq. ft.</u>
9		<u>Outdoor Activity Area</u>	<u>§§ 790.70,</u>	<u>P at 1st and 2nd Floors if</u>
10	<u>743.</u>		<u>145.2(a)</u>	<u>located in front; C if</u>
11	<u>24</u>			<u>located elsewhere</u>
12		<u>Drive-Up Facility</u>	<u>§ 790.30</u>	<u>NP</u>
13	<u>743.</u>			
14	<u>25</u>			
15		<u>Walk-Up Facility</u>	<u>§§ 145.2(b),</u>	<u>P if recessed 3 ft.; C if not</u>
16	<u>743.</u>		<u>790.140</u>	<u>recessed</u>
17	<u>26</u>			
18		<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.--</u>
19	<u>743.</u>			<u>6 a.m.</u>
20	<u>30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602--604,</u>	<u>NP</u>
21			<u>608, 609</u>	
22		<u>Business Sign</u>	<u>§§ 262, 602--604,</u>	
23	<u>743.</u>		<u>607.1(f)(2), 608,</u>	<u>P</u>
24	<u>31</u>		<u>609</u>	
25		<u>Other Signs</u>	<u>§§ 262, 602--604,</u>	<u>P</u>

32		607.1(c)(d)(g), 608, 609	
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<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Folsom Street</u>		
			<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
743. 37	<u>Residential Conversion</u>	<u>§§ 790.84, 207.7, 317</u>	<u>C</u>	<u>C</u>	
743. 38	<u>Residential Demolition</u>	<u>§§ 790.86, 207.7, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
743. 39	<u>Residential Division</u>	<u>§§ 207.8, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

-Non-Retail Sales and Services

743. 40	<u>Other Retail Sales and Services [Not Listed Below]</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>	
743. 41	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>		
743. 43	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P up to 10,000 gsf per lot; NP above</u>		
743.	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P up to 10,000</u>		

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<u>44</u>			<u>gsf per lot; NP</u> <u>above</u>		
<u>743.</u> <u>45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>C</u>		
<u>743.</u> <u>46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>			
<u>743.</u> <u>47</u>	<u>Adult</u> <u>Entertainment</u>	<u>§ 790.36</u>			
<u>743.</u> <u>48</u>	<u>Other</u> <u>Entertainment</u>	<u>§ 790.38</u>			
<u>743.</u> <u>49</u>	<u>Services,</u> <u>Professional;</u> <u>Services,</u> <u>Financial;</u> <u>Services,</u> <u>Medical</u>	<u>§§ 790.110,</u> <u>790.114,</u> <u>790.116</u>	<u>P when primarily</u> <u>open to the</u> <u>general public on</u> <u>a client-oriented</u> <u>basis.</u>		
<u>743.</u> <u>50</u>	<u>Limited</u> <u>Financial</u> <u>Service</u>	<u>§ 790.112</u>			
<u>743.</u> <u>53</u>	<u>Business or</u> <u>Professional</u> <u>Service</u>	<u>§ 790.108</u>			
<u>743.</u>	<u>Massage</u>	<u>§ 790.60, §</u>	<u>C</u>	<u>C</u>	

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<u>54</u>	<u>Establishment</u>	<u>1900 Health Code</u>			
<u>743.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>P up to 25 rooms per hotel; NP above.</u>	<u>P up to 25 rooms per hotel; NP above.</u>	<u>P up to 25 rooms per hotel; NP above.</u>
<u>743.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 790.10, 158.1, 160, 166.</u>			
<u>743.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
<u>743.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
<u>743.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>		
<u>743.</u>	<u>Automotive</u>	<u>§ 790.18</u>			

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<u>60</u>	<u>Wash</u>				
<u>743.</u> <u>61</u>	<u>Automobile Sale</u> <u>or Rental</u>	<u>§ 790.12</u>			
<u>743.</u> <u>62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>P</u>		
<u>743.</u> <u>62a</u>	<u>Animal Services</u>	<u>§ 224(c)</u>	<u>P for grooming</u> <u>and daycare</u> <u>only. No 24 hour</u> <u>care.</u>		
<u>743.</u> <u>63</u>	<u>Ambulance</u> <u>Service</u>	<u>§ 790.2</u>			
<u>743.</u> <u>64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
<u>743.</u> <u>65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C</u>	
<u>743.</u> <u>65a</u>	<u>Light</u> <u>Manufacturing</u>	<u>§ 790.54(a)</u>	<u>P</u>	<u>P</u>	
<u>743.</u> <u>65b</u>	<u>Wholesale Sales</u>	<u>§ 790.54(b)</u>	<u>P</u>	<u>P</u>	
<u>743.</u> <u>66</u>	<u>Storage</u>	<u>§ 790.117</u>			
<u>743.</u> <u>68</u>	<u>Fringe</u> <u>Financial</u>	<u>§ 790.111</u>			

1	<u>743.</u>	<u>Neighborhood</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
2	<u>69c</u>	<u>Agriculture</u>				
3	<u>743.</u>	<u>Large-Scale</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
4	<u>69d</u>	<u>Urban</u>				
5		<u>Agriculture</u>				
6	<u>Institutions and Non-Retail Sales and Services</u>					
7	<u>743.</u>	<u>Hospital or</u>				
8	<u>80</u>	<u>Medical Center</u>	<u>§ 790.44</u>	—	—	—
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10	<u>743.</u>	<u>Assembly and</u>	<u>§ 790.50(a)</u>	<u>C</u>	<u>C</u>	
11	<u>81</u>	<u>Social Service</u>				
12	<u>743.</u>	<u>Child Care</u>	<u>§§ 790.50(b),</u>	<u>P</u>	<u>P</u>	
13	<u>82a</u>		<u>790.51(a)</u>			
14	<u>743.</u>	<u>Residential</u>				
15	<u>82b</u>	<u>Care, Small</u>	<u>§ 790.51(b)</u>		<u>C</u>	<u>C</u>
16	<u>743.</u>	<u>Religious</u>				
17	<u>82c</u>	<u>Facility</u>	<u>§ 790.50(d)</u>			
18	<u>743.</u>	<u>Elementary</u>				
19	<u>82d</u>	<u>School</u>	<u>§217(f)</u>	<u>P</u>	<u>P</u>	<u>P</u>
20	<u>743.</u>	<u>Secondary</u>				
21	<u>82e</u>	<u>School</u>	<u>§217(g)</u>	<u>P</u>	<u>P</u>	<u>P</u>
22	<u>743.</u>	<u>Postsecondary</u>				
23	<u>82f</u>	<u>school</u>	<u>§217(h)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>743.</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
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1	<u>84</u>				
2		<u>Medical</u>			
3	<u>743.</u>	<u>Cannabis</u>	<u>§ 790.141</u>	-	-
4	<u>85</u>	<u>Dispensary</u>			
5				<u>P on first or</u>	<u>P on first or</u>
6	<u>743.</u>	<u>Office</u>	<u>§ 790.69</u>	<u>second floor, but</u>	<u>second floor,</u>
7	<u>86</u>			<u>not both</u>	<u>but not both</u>
8		<u>Office uses in</u>			
9		<u>Landmark</u>	<u>§§ 790.69,</u>	<u>P</u>	<u>P</u>
10	<u>743.</u>	<u>Historic</u>	<u>703.9</u>	<u>P</u>	<u>P</u>
11	<u>86A</u>	<u>Buildings</u>			

RESIDENTIAL STANDARDS AND USES

14	<u>743.</u>	<u>Residential Use</u>	<u>§§ 145.4,</u>	<u>P</u>	<u>P</u>	<u>P</u>
15	<u>90</u>		<u>790.88(a)</u>			
16			<u>§§ 145.4,</u>			
17	<u>743.</u>	<u>SRO Housing</u>	<u>823,</u>	<u>P</u>	<u>P</u>	<u>P</u>
18	<u>90a</u>		<u>890.88(c)</u>			
19				<u>C, except NP on</u>		
20		<u>Group Housing</u>	<u>§§ 145.4,</u>	<u>lots with more</u>	<u>C</u>	<u>C</u>
21	<u>743.</u>		<u>790.88(b)</u>	<u>than 25 ft of</u>		
22	<u>90b</u>			<u>street frontage</u>		
23	<u>743.</u>	<u>Student Housing</u>	<u>§102.36</u>	<u># C in newly</u>	<u># C in newly</u>	<u># C in newly</u>
24	<u>90c</u>			<u>constructed</u>	<u>constructed</u>	<u>constructed</u>

			<u>buildings; NP</u> <u>otherwise</u>	<u>buildings;</u> <u>NP otherwise</u>	<u>buildings; NP</u> <u>otherwise</u>
734. 91	<u>Residential</u> <u>Density,</u> <u>Dwelling Units</u>	<u>§§ 207,</u> <u>207.1, 207.4,</u> <u>207.6,</u> <u>790.88(a)</u>	<u>No density limit.</u>		
743. 92	<u>Residential</u> <u>Density, Group</u> <u>Housing</u>	<u>§§ 207.1,</u> <u>790.88(b)</u>	<u>No density limit.</u>		
734. 93	<u>Usable Open</u> <u>Space [Per</u> <u>Residential</u> <u>Unit]</u>	<u>§§ 135, 136</u>	<u>Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)</u>		
743. 94	<u>Off-Street</u> <u>Parking,</u> <u>Residential</u>	<u>§§ 145.1,</u> <u>150, 151.1,</u> <u>153--157,</u> <u>159--160,</u> <u>166, 167</u> <u>204.5</u>	<u>None required. P up to 0.5 parking spaces per unit; C up to 0.75 parking spaces per unit.</u>		
743. 95	<u>Community</u> <u>Residential</u> <u>Parking</u>	<u>§§ 145.1,</u> <u>151.1(f),</u> <u>155(r), 166,</u> <u>790.10</u>	<u>NP</u>		

1 **SPECIFIC PROVISIONS FOR FOLSOM STREET NCT DISTRICTS**

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<u>Article Code</u> <u>Section</u>	<u>Other Code</u> <u>Section</u>	<u>Zoning Controls</u>
§ 743.90C § 102.36		<u>Existing buildings may not be converted to Student Housing. Student Housing may only be approved in newly constructed buildings through a conditional use authorization pursuant to Section 303.</u>

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11 **SEC. 744.1. REGIONAL COMMERCIAL DISTRICT**

12 The Regional Commercial District (RCD) is located along the 9th Street and 10th Street
13 corridors, generally running from Mission Street to Harrison Street, and provides for a wide variety of
14 commercial uses and services to a population greater than the immediate neighborhood. While
15 providing convenience goods and services to the surrounding neighborhood, the RCD corridors are
16 also heavily trafficked thoroughfares into and out of the City that serve shoppers from other
17 neighborhoods and cities.

18 Large-scale lots and buildings and wide streets distinguish the RCD from smaller-scaled
19 neighborhood commercial streets, although the district also includes small as well as moderately
20 scaled lots. Buildings typically range in height from two to four stories with occasional taller
21 structures.

22 A diverse commercial environment is encouraged for the RCD. Eating and drinking
23 establishments, general retail, office, certain auto uses, and production, distribution, and repair uses
24

generally are permitted with certain limitations at the first and second stories. Arts activities are encouraged on all floors, but nighttime entertainment uses are prohibited.

Housing development is encouraged at the second story and above, and permitted on the ground floor on smaller lots. Student housing is not permitted, and existing residential units are protected by limitations on demolitions and conversions.

Table 744

REGIONAL COMMERCIAL DISTRICT

ZONING CONTROL TABLE

			<u>Regional Commercial</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>744.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250--252, 260, 261.1, 263.18, 270, 271</u>	<u>55-X, 65-X. See Sectional Zoning Maps 1 and 7. Height sculpting required on narrow streets, §261.1</u>
<u>744.11</u>	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 10,000 sq. ft. C above 10,000 sq. ft.</u>
<u>744.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at the second story and above and at all residential levels</u>
<u>744.13a</u>	<u>Street Frontage, Above-Grade Parking Setback and Active Uses</u>	<u>§ 145.1</u>	<u>Minimum 25 feet on ground floor, 15 feet on floors above</u>
<u>744.</u>	<u>Street Frontage, Required</u>	<u>§ 145.4</u>	<u>Requirements apply.</u>

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<u>13b</u>	<u>Ground Floor Commercial</u>		
<u>744.</u>	<u>Street Frontage, Parking and</u>	<u>§ 155(r)</u>	<u>Requirements apply.</u>
<u>13c</u>	<u>Loading access restrictions</u>		
<u>744.</u>	<u>Awning</u>	<u>§§ 136.1(a),</u>	<u>P</u>
<u>14</u>		<u>790.20</u>	
<u>744.</u>	<u>Canopy</u>	<u>§§ 136.1(b),</u>	<u>P</u>
<u>15</u>		<u>790.26</u>	
<u>744.</u>	<u>Marquee</u>	<u>§§ 136.1(c),</u>	<u>P</u>
<u>16</u>		<u>790.58</u>	
<u>744.</u>	<u>Street Trees</u>	<u>§ 138.1</u>	<u>Required</u>
<u>17</u>			
<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
<u>744.</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11,</u>	<u>2.5 to 1</u>
<u>20</u>		<u>123, 124</u>	
<u>744.</u>	<u>Use Size [Non-Residential]</u>	<u>§§ 121.2, 790.130</u>	<u>P up to 10,000 sq. ft.; C</u>
<u>21</u>			<u>above; NP above 25,000</u>
<u>744.</u>	<u>Off-Street Parking,</u>	<u>§§ 150, 151.1, 153--</u>	<u>None required. Limits set</u>
<u>22</u>	<u>Commercial/Institutional</u>	<u>157, 159--160, 166,</u>	<u>forth in Section 151.1</u>
		<u>204.5</u>	
<u>744.</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152--155,</u>	<u>Generally, none required</u>
<u>23</u>		<u>161(b), 204.5</u>	<u>if gross floor area is less</u>
<u>24</u>			<u>than 10,000 sq. ft.</u>
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2	<u>744.</u>	<u>Outdoor Activity Area</u>	<u>§§ 145.2(a),</u>
3	<u>24</u>		<u>790.70</u>
4			<u>P at 1st and 2nd Floors if</u>
5			<u>located in front; C if</u>
6			<u>located elsewhere</u>
7	<u>744.</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>
8	<u>25</u>		<u>NP</u>
9	<u>744.</u>	<u>Walk-Up Facility</u>	<u>§§ 145.2(b),</u>
10	<u>26</u>		<u>790.140</u>
11			<u>P if recessed 3 ft.; C if not</u>
12			<u>recessed</u>
13	<u>744.</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>
14	<u>27</u>		<u>P 6 a.m.--2 a.m. C 2 a.m.-</u>
15			<u>-6 a.m.</u>
16	<u>744.</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602--604,</u>
17	<u>30</u>		<u>608, 609</u>
18			<u>NP</u>
19	<u>744.</u>	<u>Business Sign</u>	<u>§§ 262, 602--604,</u>
20	<u>31</u>		<u>607.1(f)(2), 608,</u>
21			<u>609</u>
22			<u>P</u>
23	<u>744.</u>	<u>Other Signs</u>	<u>§§ 262, 602--604,</u>
24	<u>32</u>		<u>607.1(c)(d)(g),</u>
25			<u>608, 609</u>
			<u>P</u>

<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Regional Commercial</u>		
			<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>744.3</u>	<u>Residential</u>	<u>§§ 790.84,</u>			
<u>7</u>	<u>Conversion</u>	<u>207.7, 317</u>	<u>C</u>	<u>C</u>	

1	<u>744.3</u>	<u>Residential</u>	<u>§§ 790.86,</u>			
2	<u>8</u>	<u>Demolition</u>	<u>207.7, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>744.3</u>	<u>Residential</u>	<u>§ 207.8, 317</u>			
4	<u>9</u>	<u>Division</u>		<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Non-Retail Sales and Services</u>					
6		<u>Other Retail</u>				
7		<u>Sales and</u>				
8	<u>744.4</u>	<u>Services [Not</u>	<u>§ 790.102</u>	<u>P</u>	<u>P</u>	
9	<u>0</u>	<u>Listed Below]</u>				
10	<u>744.</u>					
11	<u>41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>		
12						
13	<u>744.4</u>	<u>Limited-</u>		<u>P up to 10,000 gsf</u>		
14	<u>3</u>	<u>Restaurant</u>	<u>§ 790.90</u>	<u>per lot; NP above</u>		
15	<u>744.4</u>			<u>P up to 10,000 gsf</u>		
16	<u>4</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>per lot; NP above</u>		
17	<u>744.4</u>					
18	<u>5</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>C</u>		
19	<u>744.4</u>					
20	<u>6</u>	<u>Movie Theater</u>	<u>§ 790.64</u>			
21	<u>744.4</u>					
22	<u>7</u>	<u>Adult</u>	<u>§ 790.36</u>			
23		<u>Entertainment</u>				
24	<u>744.4</u>					
25	<u>8</u>	<u>Other</u>	<u>§ 790.38</u>			
		<u>Entertainment</u>				

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744.49	<u>Services, Professional; Services, Financial; Services, Medical</u>	<u>§§ 790.110, 790.114, 790.116</u>	<u>P when primarily open to the general public on a client-oriented basis</u>		
744.50	<u>Limited Financial Service</u>	<u>§ 790.112</u>			
744.53	<u>Business or Professional Service</u>	<u>§ 790.108</u>			
744.54	<u>Massage Establishment</u>	<u>§ 790.60, § 1900 Health Code</u>	<u>C</u>	<u>C</u>	
744.55	<u>Tourist Hotel</u>	<u>§ 790.46</u>			
744.56	<u>Automobile Parking</u>	<u>§§ 790.8, 790.10, 158.1, 160, 166.</u>	<u>C; subject to criteria of Sec. 158.1.</u>		
744.57	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
744.58	<u>Automotive Service Station</u>	<u>§ 790.17</u>			

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<u>744.5</u> <u>9</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>		
<u>744.6</u> <u>0</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
<u>744.6</u> <u>1</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
<u>744.6</u> <u>2</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>			
<u>744.6</u> <u>2a</u>	<u>Animal Services</u>	<u>§ 224(c)</u>	<u>P for grooming and daycare only. No 24 hour care.</u>		
<u>744.6</u> <u>3</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
<u>744.6</u> <u>4</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
<u>744.6</u> <u>5</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>C</u>	
<u>744.6</u>	<u>Light</u>	<u>§ 790.54(a)</u>	<u>P</u>	<u>P</u>	

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<u>5a</u>	<u>Manufacturing</u>				
<u>744.6</u> <u>5b</u>	<u>Wholesale Sales</u>	<u>§ 790.54(b)</u>	<u>P</u>	<u>P</u>	
<u>744.6</u> <u>6</u>	<u>Storage</u>	<u>§ 790.117</u>			
<u>744.6</u> <u>7</u>	<u>Commercial</u> <u>Storage</u>	<u>§ 890.54(c)</u>	<u>P</u>	<u>C</u>	
<u>744.6</u> <u>8</u>	<u>Fringe Financial</u>	<u>§ 790.111</u>			
<u>744.6</u> <u>9c</u>	<u>Neighborhood</u> <u>Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.6</u> <u>9d</u>	<u>Large-Scale</u> <u>Urban</u> <u>Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Institutions and Non-Retail Sales and Services</u>					
<u>744.8</u> <u>0</u>	<u>Hospital or</u> <u>Medical Center</u>	<u>§ 790.44</u>			
<u>744.8</u> <u>1</u>	<u>Assembly and</u> <u>Social Service</u>	<u>§ 790.50(a)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>744.8</u> <u>2a</u>	<u>Child Care</u>	<u>§§ 790.50(b),</u> <u>790.51(a)</u>	<u>P for 12 children or</u> <u>fewer.</u> <u>C for 13 children or</u> <u>more.</u>	<u>P for 12</u> <u>children or</u> <u>fewer.</u> <u>C for 13</u>	

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				<i>children or more.</i>	
<u>744.8</u> <u>2b</u>	<u>Residential Care</u> <u>Small</u>	<u>§ 790.51(b)</u>		<u>C</u>	<u>C</u>
<u>744.8</u> <u>2c</u>	<u>Religious Facility</u>	<u>§ 790.50(d)</u>			
<u>744.8</u> <u>2d</u>	<u>Elementary</u> <u>School</u>	<u>§217(f)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.8</u> <u>2e</u>	<u>Secondary</u> <u>School</u>	<u>§217(g)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.8</u> <u>2f</u>	<u>Postsecondary</u> <u>school</u>	<u>§217(h)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>744.8</u> <u>4</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.8</u> <u>5</u>	<u>Medical</u> <u>Cannabis</u> <u>Dispensary</u>	<u>§ 790.141</u>			
<u>744.8</u> <u>6a</u>	<u>Office</u>	<u>§ 790.69</u>	<u>P on first or second floor, but not both</u>	<u>P on first or second floor, but not both</u>	
<u>744.8</u> <u>6b</u>	<u>Office uses in</u> <u>Landmark</u>	<u>§§ 790.69,</u> <u>703.9</u>	<u>P</u>	<u>P</u>	<u>P</u>

	<u>Historic Buildings</u>				
<u>RESIDENTIAL STANDARDS AND USES</u>					
<u>744.9</u> <u>0</u>	<u>Residential Use</u>	<u>§§ 145.4,</u> <u>790.88(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>744.9</u> <u>0a</u>	<u>SRO Housing</u>	<u>§§ 145.4,</u> <u>823, 890.88(c)</u>		<u>P</u>	<u>P</u>
<u>744.9</u> <u>0b</u>	<u>Group Housing</u>	<u>§§ 145.4,</u> <u>790.88(b)</u>	<u>C, except NP on</u> <u>lots with more than</u> <u>25 ft of street</u> <u>frontage</u>	<u>C</u>	<u>C</u>
<u>744.9</u> <u>0c</u>	<u>Student Housing</u>	<u>§§ 145.4, 401</u>			
<u>744.9</u> <u>1</u>	<u>Residential</u> <u>Density, Dwelling</u> <u>Units</u>	<u>§§ 207, 207.1,</u> <u>207.4, 207.6,</u> <u>790.88(a)</u>	<u>No density limit.</u>		
<u>744.9</u> <u>2</u>	<u>Residential</u> <u>Density, Group</u> <u>Housing</u>	<u>§§ 207.1,</u> <u>790.88(b)</u>	<u>No density limit.</u>		
<u>744.9</u> <u>3</u>	<u>Usable Open</u> <u>Space [Per</u> <u>Residential Unit]</u>	<u>§§ 135, 136</u>	<u>Generally, either 80 sq. ft if private, or 100 sq.</u> <u>ft. if common</u>		
<u>744.9</u>	<u>Off-Street</u>	<u>§§ 145.1, 150,</u>	<u>None required. P up to 0.5 parking spaces per</u>		

1	<u>4</u>	<u>Parking,</u>	<u>151.1, 153--</u>	<u>unit; C up to 0.75 parking spaces per unit.</u>	
2		<u>Residential</u>	<u>157, 159--160,</u>		
3			<u>166, 167</u>		
4			<u>204.5</u>		
5		<u>Community</u>	<u>§§ 145.1,</u>	<u>C; subject to</u>	
6		<u>Residential</u>	<u>151.1(f),</u>	<u>criteria of Sec.</u>	
7	<u>744.9</u>	<u>Parking</u>	<u>155(r), 158.1,</u>		
8	<u>5</u>		<u>166, 790.10</u>	<u>158.1.</u>	

10 **SEC. 802.1. MIXED USE DISTRICTS.**

11 ...

Districts	Section Number
<u>WMUG – WSoMa Mixed Use – General District</u>	<u>§ 844</u>
<u>WMUO – Western SoMa Mixed Use – Office District</u>	<u>§ 845</u>
<u>SALI – Service/Arts/Light Industrial District</u>	<u>§ 846</u>
<u>RED – MX – Residential Enclave – Mixed District</u>	<u>§ 847</u>

1 **SEC. 802.4. EASTERN NEIGHBORHOODS MIXED USE DISTRICTS.**

2 Throughout the Planning Code, the term "Eastern Neighborhoods Mixed Use Districts"
3 refers to the following districts: Residential Enclave District (RED), Residential Enclave – Mixed
4 District (RED-MX), Mixed Use – General (MUG), Western SoMa Mixed Use – General (WMUG),
5 Mixed Use – Office (MUO), Western SoMa Mixed Use – Office (WMUO), Mixed Use – Residential
6 (MUR), South Park District (SPD), Service/Arts/Light Industrial (SALI), and Urban Mixed Use
7 (UMU).

8 **SEC. 802.5. SOUTH OF MARKET MIXED USE DISTRICTS.**

9 Throughout the Planning Code, the term "South of Market Mixed Use Districts" refers
10 to the following districts: Residential Enclave District (RED), Residential/Service District (RSD),
11 Service/Light Industrial (SLI), Service/Light Industrial/Residential (SLR), and
12 Service/Secondary Office (SSO).

13 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**
14 **DISTRICTS AND SOUTH OF MARKET USE MIXED USE DISTRICTS.**

15 (a) **Use Categories.** A use is the specified purpose for which a property or building is
16 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Eastern
17 Neighborhood Mixed Use District and South of Market Mixed Use District is generally set
18 forth, summarized or cross-referenced in Sections 813.3 through 818 and 840 through ~~843-847~~
19 of this Code for each district class.

20 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts and South of
21 Market Mixed Use Districts are either permitted, conditional, accessory, temporary or are not
22 permitted.

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

4 (A) **Principal Uses.** Principal uses are permitted as of right in an Eastern
5 Neighborhood Mixed Use District and South of Market Mixed Use District, when so indicated
6 in Sections 813 through 818 and 840 through ~~843~~847 of this Code for the district. Additional
7 requirements and conditions may be placed on particular uses as provided pursuant to
8 Section 803.5 through 803.9 and other applicable provisions of this Code.

9 (B) **Conditional Uses.** Conditional uses are permitted in an Eastern
10 Neighborhood Mixed Use District and South of Market Mixed Use District, when authorized by
11 the Planning Commission; whether a use is conditional in a given district is generally indicated
12 in Sections 813 through 818 and 840 through ~~843~~847 of this Code. Conditional uses are
13 subject to the applicable provisions set forth in Sections 178, 179, 263.11, 303, 316, and
14 803.5 through 803.9 of this Code.

15 (i) An establishment which sells beer or wine with motor vehicle
16 fuel is a conditional use, and shall be governed by Section 229.

17 (ii) Notwithstanding any other provision of this Article, a change in
18 use or demolition of a movie theater use, as set forth in Section 890.64, shall require
19 conditional use authorization. This Section shall not authorize a change in use if the new use
20 or uses are otherwise prohibited.

21 (iii) Notwithstanding any other provision of this Article, a change in
22 use or demolition of a general grocery store use, as set forth in Section 890.102(a) and as
23 further defined in Section 790.102(a), shall require conditional use authorization. This
24 Subsection shall not authorize a change in use if the new use or uses are otherwise
25 prohibited.

1 (iv) Large-Scale Urban Agriculture, as defined in Section
2 102.35(b), shall require conditional use authorization.

3 (C) **Accessory Uses.** Subject to the limitations set forth below and in
4 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory
5 Uses for Uses Other Than Dwellings in R Districts); 204.4 (Dwelling Units Accessory to Other
6 Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an accessory use is
7 a related minor use which is either necessary to the operation or enjoyment of a lawful
8 principal use or conditional use, or is appropriate, incidental and subordinate to any such use,
9 and shall be permitted as an accessory use in an Eastern Neighborhoods Mixed Use District
10 and South of Market Mixed Use District. In order to accommodate a principal use which is
11 carried out by one business in multiple locations within the same general area, such
12 accessory use need not be located in the same structure or lot as its principal use provided
13 that (1) the accessory use is located within 1,000 feet of the principal use; and (2) the multiple
14 locations existed on April 6, 1990 (the effective date of this amendment). Accessory uses to
15 non-office uses (as defined in Section 890.70) may occupy space which is non-contiguous or
16 on a different story as the principal use so long as the accessory use is located in the same
17 building as the principal use and complies with all other restrictions applicable to such
18 accessory uses. Any use which does not qualify as an accessory use shall be classified as a
19 principal use.

20 No use will be considered accessory to a principal use which involves or requires any
21 of the following:

22 (i) The use of more than one-third of the total occupied floor area
23 which is occupied by both the accessory use and principal use to which it is accessory,
24 combined, except in the case of accessory off-street parking or loading which shall be subject
25 to the provisions of Sections 151, 156 and 157 of this Code;

1 (ii) A hotel, motel, inn, hostel, adult entertainment, massage
2 establishment, large fast food restaurant, or movie theater use in a RED, RED-MX, SPD, RSD,
3 SLR, SLI, SSO, DTR, MUG, WMUG, MUR, MUO, WMUO, SALI or UMU District;

4 (iii) Any take-out food use, except for a take-out food use which
5 occupies 100 square feet or less (including the area devoted to food preparation and service
6 and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery,
7 retail grocery or specialty food store.

8 (iv) Any sign not conforming to the limitations of Section
9 607.2(f)(3).

10 (v) Medical Cannabis Dispensaries as defined in 890.133.

11 (vi) Any nighttime entertainment use, as defined in Section 102.17;
12 provided, however, that a Limited Live Performance Permit as set forth in Police Code Section
13 1060 et seq. is allowed in any District except for *(a) an SLI District that is included in the Western*
14 *SoMa Planning Area Special Use District or (b) an RED, RED-MX, RSD, SLR, MUR, WMUG, or*
15 *MUG District.*

16 (D) **Temporary Uses.** Temporary uses not otherwise permitted are
17 permitted in Eastern Neighborhoods Mixed Use Districts and South of Market Mixed Use
18 Districts to the extent authorized by Sections 205 through 205.3 of this Code.

19 **SEC. 803.6. FORMULA RETAIL USES IN THE CHINATOWN MIXED USE**
20 **DISTRICTS AND IN THE WESTERN SOMA ~~PLANNING AREA~~ SPECIAL USE DISTRICT.**

21 ...
22 (b) **Formula Retail Uses.**

23 (1) **Formula Retail Uses Permitted as a Conditional Use.** Formula retail uses
24 are permitted in the MUG District, UMU District, Western SoMA *Planning Area* Special Use
25 District, the Chinatown Community Business District and the Chinatown Residential

1 Neighborhood Commercial District only as a conditional use. When considering an application
2 for a conditional use permit under this Section, the Planning Commission shall consider the
3 criteria defined in Section 303(i) of this Code.

4 (2) **Formula Retail Uses Prohibited.** The establishment of new formula retail
5 uses in the Chinatown Visitor Retail District is prohibited. The establishment of new
6 Restaurant or Limited-Restaurant uses that are also defined as formula retail in any
7 Chinatown Mixed Use Districts is prohibited.

8 ...

9 ~~**SEC. 803.7. PERMIT REVIEW PROCEDURES IN THE WESTERN SOMA PLANNING**~~
10 ~~**AREA SPECIAL USE DISTRICT ESTABLISHED PURSUANT TO SECTION 823 OF THIS**~~
11 ~~**CODE.**~~

12 ~~All building permit applications for demolition, new construction, alterations which expand the~~
13 ~~exterior dimensions of a building, or changes in use to a formula retail use as defined in Section 803.6~~
14 ~~of this Code, a bar as defined in Section 890.22, a walk up facility as defined in Section 890.140, other~~
15 ~~institution as defined in Section 890.50, a full service restaurant as defined in Section 890.92, a large~~
16 ~~fast food restaurant as defined in Section 890.91, a small fast food restaurant as defined in Section~~
17 ~~890.90, a massage establishment as defined in Section 890.60, an outdoor activity area as defined in~~
18 ~~Section 890.71, or an adult or other entertainment use as defined in Sections 890.36 and 890.37,~~
19 ~~respectively, shall be subject to the notification and review procedures required by Section 312 of this~~
20 ~~Code.~~

21 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

22 (a) **Preservation of ~~Landmark Buildings, Significant or Contributory Buildings Within the~~**
23 ~~**Extended Preservation District and/or Contributory Historic Buildings Within Designated Historic**~~
24 ~~**Districts within the South of Market Mixed Use Districts.**~~ Within the South of Market Mixed
25 Use Districts, any use which is permitted as a principal or conditional use within the SSO

1 District, excluding nighttime entertainment use, may be permitted as a conditional use in (a) a
2 landmark building located outside a designated historic district, (b) a contributory building
3 which is proposed for conversion to office use of an aggregate gross square footage of 25,000
4 or more per building and which is located outside the SSO District yet within a designated
5 historic district, or (c) a building designated as significant or contributory pursuant to Article 11
6 of this Code and located within the Extended Preservation District. For all such buildings the
7 following conditions shall apply:

8 (1) the provisions of Sections 316 through 318 of this Code must be met;

9 (2) in addition to the conditional use criteria set out in Sections 303(c)(6) and
10 316 through 316.8, it must be determined that allowing the use will enhance the feasibility of
11 preserving the landmark, significant or contributory building; and

12 (3) the landmark, significant or contributory building will be made to conform
13 with the San Francisco Building Code standards for seismic loads and forces which are in
14 effect at the time of the application for conversion of use.

15 A contributory building which is in a designated historic district outside the SSO District
16 may be converted to any use which is a principal use within the SSO District provided that: (1)
17 such use does not exceed an aggregate square footage of 25,000 per building; and (2) prior
18 to the issuance of any necessary permits the Zoning Administrator (a) determines that
19 allowing the use will enhance the feasibility of preserving the contributory building; and (b) the
20 contributory building will be made to conform with the San Francisco Building Code standards
21 for seismic loads and forces which are in effect at the time of the application for conversion of
22 use.

23 ~~(b) Preservation of Historic Buildings within the MUG, MUO, and MUR Districts. The~~
24 ~~following controls are intended to support the economic viability of buildings of historic importance~~
25 ~~within the MUG, MUO, and MUR Districts.~~

1 ~~(1) This subsection applies only to buildings that are a designated landmark building or a~~
2 ~~contributory building within a designated historic district per Article 10 of the Planning Code, or a~~
3 ~~building listed on or determined eligible for the California Register of Historical Resources by the State~~
4 ~~Office of Historic Preservation.~~

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

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

7 ~~(B) Prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of~~
8 ~~the Landmarks Preservation Advisory Board, determines that allowing the use will enhance the~~
9 ~~feasibility of preserving the building.~~

10 ~~(C) Residential uses meet the affordability requirements of the Residential Inclusionary~~
11 ~~Affordable Housing Program set forth in Section 315.1 through 315.9.~~

12 ~~(3) The Landmarks Preservation Advisory Board shall review the proposed project for~~
13 ~~compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any applicable~~
14 ~~provisions of the Planning Code.~~

15 (b) Preservation of Historic Buildings within Certain Eastern Neighborhoods Mixed Use
16 Districts. The following controls are intended to support the economic viability of buildings of historic
17 importance within Eastern Neighborhoods.

18 (1) This subsection applies only to buildings in SPD, MUG, MUO, or MUR Districts
19 that are designated landmark buildings or contributory buildings within a designated historic district
20 per Article 10 of the Planning Code, or buildings listed on or determined eligible for the California
21 Register of Historical Resources by the State Office of Historic Preservation.

22 (A) All uses are principally permitted, provided that:

23 (i) The project does not contain any nighttime entertainment use.

1 (ii) Prior to the issuance of any necessary permits, the Zoning
2 Administrator, with the advice of the Historic Preservation Commission, determines that allowing the
3 use will enhance the feasibility of preserving the building.

4 (iii) Residential uses meet the affordability requirements of the
5 Residential Inclusionary Affordable Housing Program set forth in Section 415 through 415.9.

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

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

14 (A) Retail and office uses, as defined in Planning Code Sections 890.104 and
15 890.70, respectively, are permitted only with conditional use authorization, pursuant to Planning Code
16 Section 303, provided that:

17 (i) The project does not contain any nighttime entertainment use.

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

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

24 (3) This subsection applies only to buildings in the WMUG District that are a
25 designated landmark building per Article 10 of the Planning Code, buildings designated as Category I-

1 IV pursuant to Article 11 of this Code and located within the Extended Preservation District, or a
2 building listed in or determined individually eligible for the National Register of Historic Places or the
3 California Register of Historical Resources by the State Office of Historic Preservation.

4 (A) Office uses, as defined in Planning Code Section 890.70, are principally
5 permitted, provided that:

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

9 (B) The Historic Preservation Commission shall review the proposed project
10 for 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 ...

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

14 Residential Enclave Districts (RED) encompass many of the the clusters of low-scale,
15 medium density, predominantly residential neighborhoods located along the narrow side
16 streets of the SLR and MUR Districts South of Market area. Within these predominantly
17 residential enclaves lie a number of vacant parcels, parking lots and other properties in open
18 storage use. These properties are undeveloped or underdeveloped and are viewed as
19 opportunity sites for new, moderate-income, in-fill housing.

20 The zoning controls for this district are tailored to the design needs and neighborhood
21 characteristics of these enclaves and are intended to encourage and facilitate the
22 development of attractive, compatible and economically feasible in-fill housing while providing
23 adequate residential amenities to the site and neighborhood.

24 Dwelling units are permitted as a principal use. ~~Social services and institutional uses are~~
25 ~~permitted as conditional uses. Group housing, retail, entertainment, general commercial and services~~

1 ~~light industrial uses~~ Nonresidential uses, except art related activities, are not permitted, except for
 2 certain uses in historic buildings. Existing commercial activities in nonresidential structures may
 3 continue as nonconforming uses subject to the termination requirements of Sections 185 and
 4 186. ~~Live/work units limited to arts activities are permitted within the district as a principal use.~~
 5 ~~Existing live/work units with other nonresidential uses may continue as nonconforming uses.~~

6 **Table 813**

7 **RED – RESIDENTIAL ENCLAVE DISTRICT**

8 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Residential Enclave Controls
BUILDING STANDARDS			
813.01	Height	See Zoning Map	Generally 40 feet See Sectional Zoning Maps 1, and 7 and 8.
813.02	Bulk	§ 270	See Sectional Zoning Maps 1, and 7 and 8.
USE STANDARDS			
813.03	Residential Density	§§ 124(b), 207.5, 208	No density limit 1:400 for dwelling units; 1 bedroom for each 140 sq. ft. of lot area for group housing

1	813.04	Non-Residential Density	§§ 102.9, 123, 124, 127	Generally, 1.0 to 1 floor area ratio
2				
3	813.05	Usable Open Space for Dwelling Units and Group Housing	§ 135, 823	<i>80 sq. ft. per unit 60-sq. ft. per unit, if private, 80-sq. ft. if common</i>
4				
5	813.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
6				
7	813.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
8				
9	813.09	Outdoor Activity Area	§ 890.71	<u>NP P</u>
10				
11	813.10	Walk-up Facility, <i>except</i> <i>Automated Bank Teller</i> <i>Machine</i>	§ 890.140	<u>NP P</u>
12				
13	813.11	<i>Automated Bank Teller</i> <i>Machine</i>	§ 803.9(d)	<u>NP</u>
14				
15	813.12	Residential Conversion	§ 803.8(a) 317	<u>NP C</u>
16				
17	813.13	Residential Demolition	§ 803.8(a) 317	<u>C</u>
18				
19	USES			
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Residential Use			
813.14	Dwelling Units	§ 102.7	P
813.15	Group Housing	§ 890.88(b)	NP
813.16	SRO Units	§ 890.88(c), <u>823</u>	<u>NP P</u>
<u>813.16A</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
Institutions			
813.17	Hospital, Medical Centers	§ 890.44	NP
813.18	Residential Care	§ 890.50(e)	<u>NP €</u>
813.19	Educational Services	§ 890.50(c)	<u>NP €</u>
813.20	Religious Facility	§ 890.50(d)	<u>NP €</u>
813.21	Assembly and Social Service, except Open Recreation or Horticulture	§ 890.50(a)	<u>NP €</u>
813.22	Child Care	§ 890.50(b)	P
813.23	Medical Cannabis Dispensary	§ 890.133	<u>NP P#</u>
Vehicle Parking			
813.25	Automobile Parking Lot,	§ 890.7	<u>NP P</u>

	Community Residential		
813.26	Automobile Parking Garage, Community Residential	§ 890.8	<u>NP</u> C
813.27	Automobile Parking Lot, Community Commercial	§ 890.9	<u>NP</u> P
813.28	Automobile Parking Garage, Community Commercial	§ 890.10	<u>NP</u> C
813.29	Automobile Parking Lot, Public	§ 890.11	<u>NP</u> P
813.30	Automobile Parking Garage, Public	§ 890.12	<u>NP</u> C
Retail Sales and Service			
813.31	All Retail Sales and Service except per § 813.32	§ 890.104	NP
813.32	Retail Sales and Service Use in a <u>Landmark Historic</u> Building <i>or a</i> <i>Contributory Building in</i>	§ 803.9(<u>eb</u>)	C

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	<i>an Historic District</i>		
Assembly, Recreation, Arts and Entertainment			
813.37	Nighttime Entertainment	§§ 102.17, 803.5(b), <u>823</u>	NP
813.38	Meeting Hall, not within § 813.21	§ 221(c)	NP
813.39	Recreation Building, not within § 813.21	§ 221(e)	NP
813.40	Pool Hall, Card Club, not within § 813.21	§§ 221(f), 803.4	NP
813.41	Theater, falling within § 221(d), except Movie Theater	§§ 221(d), 890.64	NP
Home and Business Service			
813.42	Trade Shop	§ 890.124	NP
813.43	Catering Services	§ 890.25	NP
813.45	Business Goods and Equipment Repair Service	§ 890.23	NP
813.46	Arts Activities, except within a Live/Work Unit	§ 102.2	<u>CNP</u>
813.47	Business Services	§ 890.111	NP

Office			
813.48	Office Uses in Landmark <u>Historic</u> Buildings <i>or Contributory</i> <i>Buildings in Historic</i> <i>Districts</i>	§ 803.9(<i>ab</i>)	C
813.53	All Other Office Uses	§ 890.70	NP
Live/Work Units			
813.54	Live/Work Unit where the Work Activity is an Arts Activity	§§ 102.2, 102.13, 209.9(f), (g), 233	<u>NP P</u>
813.55	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.9(<i>ab</i>)	<u>NP C</u>
813.56	All Other Live/Work Units	§§ 102.13, 233	NP
Automotive Services			
813.57	Vehicle Storage - Open Lot	§ 890.131	NP
813.58	Vehicle Storage - Enclosed	§ 890.132	<u>NP P</u>

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	Lot or Structure		
813.59	Motor Vehicle Service Station, Automotive Wash	§§ 890.18, 890.20	NP
813.60	Motor Vehicle Repair	§ 890.15	NP
813.61	Motor Vehicle Tow Service	§ 890.19	NP
813.62	Non-Auto Vehicle Sales or Rental	§ 890.69	NP
813.63	Public Transportation Facility	§ 890.80	NP
Industrial			
813.64	Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment, Manufacturing and Processing	§§ 225, 890.54	NP
Other Uses			
813.65	Animal Service	§ 224	NP

1	813.66	Open Air Sales	§§ 890.38, 803.9(ee)	NP
2	813.67	Ambulance Service	§ 890.2	NP
3	813.68	Open Recreation	§§ 209.5(a), 209.5(b)	P
4	813.69	Public Use, except Public Transportation Facility	§ 890.80	C
5	813.70	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	<u>NP C</u>
6	813.71	Greenhouse or Plant Nursery	§ 227(a)	NP
7	813.72	Mortuary Establishment	§ 227(c)	NP
8	813.73	General Advertising Sign	§ 607.2(b) & (e)	NP
9	813.74A	Neighborhood Agriculture	§ 102.35(a)	P
10	813.74B	Large-Scale Urban Agriculture	§ 102.35(b)	<u>NP C</u>

SPECIFIC PROVISIONS FOR RED DISTRICTS

<i>Article Code</i>	<i>Other Code</i>	<i>Zoning Controls</i>
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Section	Section	
<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>§ 813.23</p> <p>§ 890.133</p>		<p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p><i>—Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, State or local law, may apply for a medical cannabis dispensary permit in an RED District.</i></p>

SEC. 822. SOUTH OF MARKET SPECIAL HALL OF JUSTICE LEGAL SERVICES DISTRICT.

The South of Market Special Hall of Justice Legal Services District, as shown on Sectional Map 8SU of the Zoning Map, is governed by Sections 803.9(f), and 817.50 and 846.65b of this Code.

SEC. 823. WESTERN SOMA ~~PLANNING AREA~~ SPECIAL USE DISTRICT.

(a) The Western SoMa ~~Planning Area~~ Special Use District, as shown on Section Maps 1SU, 7SU, and 8SU of the Zoning Map, is governed by Sections 803.6 and 803.7 of this Code, and Board of Supervisors Resolution No. 731-04.

~~(b) The area of the City known as Western South of Market ("Western SoMa") is currently undergoing a comprehensive community-based planning process pursuant to Resolution No. 731-04, which was adopted by the Board of Supervisors on November 23, 2004. Resolution 731-04 established a 22-member Western SoMa Citizens Planning Task Force charged with advising the Board of Supervisors and Planning Commission on future planning for the area. The Western SoMa Planning~~

1 ~~Area Special Use District will further recognition of the Western SoMa as a special planning area of~~
2 ~~the City.~~

3 ~~(c) Educational Service uses as defined by Section 890.50(c) in the Western SoMa Planning~~
4 ~~Area Special Use District are subject to conditional use authorization in accordance with Section 303.~~

5 (b) Design Standards. The construction of new buildings and alteration of existing buildings
6 in the Western SoMa Special Use District shall be consistent with the design policies and guidelines of
7 the "WSoMa Design Standards" as adopted and periodically amended by the Planning Commission.

8 (c) Controls. All provisions of the Planning Code shall apply except as otherwise provided in
9 this Section.

10 (1) Rear Yard. The requirements of Section 134 shall apply except as follows:

11 (A) Front setback credit for rear yards in the RED-MX District. The required
12 rear yard in the RED-MX District may be reduced by the distance of any provided front setback, as
13 measured from the property line to the main building wall. The front setback shall be measured as the
14 line of greatest depth of any portion of the front building wall that occupies at least ½ the width
15 between the side lot lines of the property. However, in no case shall the rear yard be reduced to less
16 than 15 feet.

17 (B) Modification. Only corner lots are eligible for rear yard modifications
18 from the Zoning Administrator pursuant to Sections 134(f), 134(e,) and 307(h) of this Code.

19 (2) Open Space. The requirements of Section 135 shall apply except as follows:

20 (A) Publicly Accessible Open Space. Dwelling units within Eastern
21 Neighborhood Mixed Use Districts shall provide 80 square feet per unit of useable open space
22 regardless of whether the open space is privately or publicly accessible. Off-site, publicly accessible
23 open space shall not qualify as required common open space pursuant to Section 135 of this Code.

24 (B) Roof decks. Roof decks shall not qualify as required private or common
25 useable open space pursuant to Section 135 of this Code. For the purpose of this section, a roof deck

1 shall be defined as a deck located on the roof of the highest story of a building, or a deck at the highest
2 story of a building if the enclosed gross floor area of that story is less than 50 percent of the gross
3 square footage of the footprint of the subject building.

4 (3) **Exposure.** The dwelling unit exposure requirements of Section 140 of this Code
5 shall apply to all bedrooms in group housing developments in newly constructed buildings, such that
6 each bedroom faces directly on one of the open areas specified in Section 140.

7 (4) **Nonconforming Uses.** A legal nonconforming nighttime entertainment use located
8 in a building that is demolished may be re-established within a newly constructed replacement building
9 on the same lot with a conditional use authorization pursuant to Section 303 of this Code, and pursuant
10 to the following criteria:

11 (A) The gross floor area of the re-established nonconforming nighttime
12 entertainment use may be increased up to 25 percent more than the area it occupied in the building
13 proposed for demolition;

14 (B) If the nonconforming nighttime entertainment use is not re-established in
15 the new building within three years of vacating the building proposed for demolition it shall be
16 considered abandoned pursuant to Planning Code Section 183.

17 (5) **Vertical Architectural Elements.** Vertical architectural elements, pursuant to
18 Section 263.21 of this Code, shall not be permitted.

19 (6) **Good Neighbor Policies.** Good Neighbor Policies for certain uses in the Eastern
20 Neighborhood Mixed Use Districts, pursuant to Section 803.5(b) of this Code, shall apply throughout
21 the Western SoMa Special Use District regardless of the underlying zoning district.

22 (7) **Single Room Occupancy (SRO) Units.** SRO units, as defined in Section 890.88(c)
23 of this Code, shall have a minimum size of 275 gross square feet.

24 (8) **Recreation Facilities.** The demolition of recreation facilities, as defined in Section
25 890.81 of this Code, shall be governed by the following:

1 (A) Demolition of an existing recreation facility shall require conditional use
2 authorization from the Planning Commission, pursuant to Section 303 of this Code. In granting such
3 conditional use authorization, the Planning Commission must also find the following:

4 (i) The project sponsor demonstrates that the loss of the recreational
5 facility and the associated services to the neighborhood or to the population of existing users can be
6 met by other recreational facilities that:

7 a. are either existing or proposed as part of the associated
8 project;

9 b. are or will be within the boundaries of the Western SoMa
10 Special Use District; and

11 c. will provide similar facilities, services, and affordability as the
12 recreational facility proposed to be removed.

13 (9) Buffers from nighttime entertainment and animal services. Additional
14 requirements applicable to nighttime entertainment uses and kennels, as defined in Section 224, are as
15 follows:

16 (A) Nighttime entertainment. No portion of a nighttime entertainment use, as
17 defined in Section 102.17 of this Code, shall be permitted within 200 linear feet of any property within
18 a RED or RED-MX District.

19 (B) Animal Services. No portion of an animal service use, as defined in
20 Section 224 of this Code, and that operates as a 24-hour facility, shall be permitted within 200 linear
21 feet of an existing building containing a legal residential use, as defined in Section 890.88, within an
22 RED or RED-MX District.

23 ~~(10) Educational Services. Educational Services, as defined by Section~~
24 ~~890.50(c) of this Code, shall require conditional use authorization pursuant to Section 303 of~~
25 ~~this Code.~~

1 (104) **Formula Retail Uses.** In addition to existing findings required in Planning
2 Code Section 803.6 for formula retail uses requiring conditional use authorization in the Western
3 SoMa Special Use District, the Planning Commission shall consider the following criteria.

4 (A) **Size.** The new formula retail use shall be similar in size to other nearby
5 retail uses. For the purposes of this subsection, "nearby" shall mean all other retail uses on the subject
6 and opposite block face.

7 (B) **Clustering.** The new formula retail use shall have sufficient separation
8 from other formula retail uses in the area and would thereby avoid clustering. For purposes of this
9 subsection, "sufficient separation" shall mean no more than two formula retail uses on the proposed
10 block face and two formula retail uses on the opposite block face.

11 (C) **Design.** The new formula retail use should:

12 (i) not be located in a stand-alone building, have a drive-thru window, or
13 have multiple curb cuts;

14 (ii) be integrated with non-formula uses within the same building or
15 development;

16 (iii) have its primary retail frontage, and provide pedestrian access, from
17 a public sidewalk and not from a parking lot;

18 (iv) provide publicly accessible open space whenever possible.

19 (D) **Other.** The new formula retail use should participate in formalized local
20 resident job hiring programs.

21 (112) **Major Developments Requesting Height Bonuses.**

22 (A) **Applicability.** The controls of this Subsection shall apply to any project
23 that meets all of the following thresholds:

24 (i) The project site is greater than .5 acre;

25 (ii) The project is located within a split height district;

1 (iii) The project proposes a building with a height above its permitted
2 base height;

3 (iv) The project is not located in the SALI District.

4 (B) Controls. The project shall require conditional use authorization from the
5 Planning Commission pursuant to Section 303 of this Code, and shall not require a Large Project
6 Authorization if otherwise required under Section 329, and shall be subject to the following criteria:

7 (i) As a component of such conditional use authorization, the project
8 may seek specific exceptions to the provisions of this Code as provided under Section 329;

9 (ii) The space-efficient parking criteria of Section 151.1(g)(1)(B)(i) shall
10 only apply to parking on the ground floor and above, and shall not apply to parking located below
11 grade in basement levels;

12 (iii) Horizontal mass reductions controls, pursuant to Section 270.1 of
13 this Code, shall not apply.

14 (iv) The project shall demonstrate that it minimizes the impacts of
15 proposed non-residential uses on any adjacent properties in the RED and RED-MX Districts.

16 Specifically, the following potential conflicts shall be addressed;

17 a. Social interaction. Given the diversity of uses and users in
18 Western SoMa, large developments should appropriately buffer conflicting uses, such as housing and
19 late night uses, and commercial uses and playgrounds.

20 b. Hours of operation. Hours of operation for commercial
21 uses within the project shall consider their proximity and potential impacts to residential uses within
22 the project and near the development site.

23 c. Site access. Avoid loading and vehicular entries near
24 pedestrian entries, open space, and high traffic areas, and locations that would disturb other users on
25 the site.

1 d. Environmental conflicts. Commercial uses that create
2 noise, fumes, and light shall be designed to minimize any impacts on sensitive users of the site.
3 Buildings shall be designed to minimize the impact of wind and shadows on open spaces on the
4 development site and adjacent properties.

5 e. Architectural design. Locate fenestration, decks, doors,
6 and open spaces to minimize potential on-site conflicts between uses and users (e.g. residential and
7 commercial uses).

8 (v) Projects on development sites of 3 acres or greater are permitted to
9 contain up to 24,999 gross square feet of office use, and up to 24,999 gross square feet of retail use,
10 regardless of the controls of the underlying zoning district.

11 (vi) Projects on development sites greater than .5 acre, but less than 3
12 acres, shall be subject to the Tier BA affordable housing requirements of Section 419.3(b)(2) of this
13 Code. The residential portions of such projects shall also be subject to the Tier 1 Eastern
14 Neighborhood infrastructure impact fees, regardless of the Tier level of the subject property.

15 **SEC. 844. WMUG— WSOMA MIXED USE – GENERAL DISTRICT**

16 The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale,
17 production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is
18 designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale
19 distribution, arts production and performance/exhibition activities, general commercial and
20 neighborhood-serving retail and personal service activities while protecting existing housing and
21 encouraging the development of housing at a scale and density compatible with the existing
22 neighborhood.

23 Housing is encouraged over ground floor commercial and production, distribution, and repair
24 uses. New residential or mixed use developments are encouraged to provide as much mixed-income
25

family housing as possible. Existing group housing and dwelling units will be protected from demolition or conversion to nonresidential use by requiring conditional use review.

Hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted. Office use is restricted to customer-based services on the ground floor.

Table 844

WMUG— WSOMA MIXED USE – GENERAL DISTRICT

ZONING CONTROL TABLE

		<u>WSoMa Mixed Use-General District</u>	
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING AND SITING STANDARDS</u>			
<u>844.01</u>	<u>Height Limit</u>	<u>See Zoning Map, §§ 260-261.1, 263.20</u>	<u>As shown on Sectional Maps 1 and 7 of the Zoning Map</u> <u>Height sculpting required on narrow streets, §261.1</u>
<u>844.02</u>	<u>Bulk Limit</u>	<u>See Zoning Map, §§ 270, 270.1, 270.2</u>	<u>As shown on Sectional Maps 1 and 7 of the Zoning Map</u> <u>Mid-block alleys required, §270.2</u>
<u>844.03</u>	<u>Non-residential density limit</u>	<u>§§ 102.9, 123, 124, 127</u>	<u>Generally contingent upon permitted height, per Section 124</u>

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844. 04	<u>Setbacks</u>	<u>§§ 136, 136.2, 145.1</u>	<u>Generally not required</u>
844. 05	<u>Awnings and Canopies</u>	<u>§§ 136, 136.1, 136.2</u>	<u>P</u>
844. 06	<u>Parking and Loading Access: Prohibition</u>	<u>§ 155</u>	<u>None</u>
844. 07	<u>Parking and Loading Access: Siting and Dimensions</u>	<u>§§ 145.1, 151.1, 152.1, 155</u>	<u>Requirements apply</u>
844. 08	<u>Off-Street Parking, Residential</u>	<u>§ 151.1</u>	<u>None required. Limits set forth in Section 151.1</u>
844. 10	<u>Off-Street Parking, Non- Residential</u>	<u>§§ 150, 151, 151.1, 153-157, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
844. 11	<u>Usable Open Space for Dwelling Units and Group Housing</u>	<u>§ 135, 823</u>	<u>80 sq.ft. per unit</u>
844. 12	<u>Usable Open Space for Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies based on use; may also pay in-lieu fee</u>
844. 13	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
844.	<u>Hours of Operation</u>	<u>§ 890.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.--</u>

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14			<u>6 a.m.</u>
844. 15	<u>General Advertising Sign</u>	<u>§§ 607.2(b) & (e) and 611</u>	<u>NP</u>
<u>Residential Uses</u>			
844. 20	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>P</u>
844. 21	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>P</u>
844. 22	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u>	<u>P with minimum SRO unit size of 275 sf</u>
844. 23	<u>Student Housing</u>	<u>§102.36</u>	<u># C in newly constructed buildings only. NP otherwise</u>
844. 24	<u>Dwelling Unit Density Limit</u>	<u>§§ 124, 207.5, 208</u>	<u>No density limit</u>
844. 25	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.</u>
844. 26	<u>Affordability Requirements</u>	<u>§ 415</u>	<u>In lieu fee, 15% onsite or 20% off-site</u>

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844. 27	<u>Residential Demolition or Conversion</u>	<u>§ 317</u>	<u>C</u>
<u>Institutions</u>			
844. 30	<u>Hospital, Medical Centers</u>	<u>§ 890.44</u>	<u>NP</u>
844. 31	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>C up to 6 beds. NP above</u>
844. 32	Educational Services	§§ 823, 890.50(e)	<u>C</u>
<u>844.</u> <u>32a</u>	<u>Elementary School</u>	<u>§ 217(f)</u>	<u>P</u>
<u>844.</u> <u>32b</u>	<u>Secondary School</u>	<u>§ 217(g)</u>	<u>P</u>
<u>844.</u> <u>32c</u>	<u>Postsecondary School</u>	<u>§ 217(h)</u>	<u>C</u>
<u>844.</u> <u>33</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
<u>844.</u> <u>34</u>	<u>Assembly and Social Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
<u>844.</u> <u>35</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
<u>844.</u> <u>36</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>

1 Vehicle Parking

2 844.
3 40 Automobile Parking Lot §§ 890.7, 890.9,
890.11, 157.1 C

4 844.
5 41 Automobile Parking §§ 145.1, 145.4,
155(r), 157.1, 890.8, C
6 Garage 890.10, 890.12, 157.1

7 Retail Sales and Services

8 844.
9 45 All Retail Sales and
Services which are not §§ 890.104, 121.6 P up to 10,000 gsf per lot.
10 listed below NP above

11 844.
12 46 Formula Retail § 803.6 C

13 844.
14 49 Ambulance Service § 890.2 C up to 10,000 gsf per lot.
15 NP above. No
16 ingress/egress onto alleys,
17 as defined in the Western
18 SoMa Community Plan,
19 containing RED or RED-
20 MX Districts

21 844.
22 50 Self-Storage § 890.54(d) NP

23 844.
24 51 Tourist Hotel § 890.46 NP

Assembly, Recreation, Arts and Entertainment

844. 55	<u>Arts Activity</u>	<u>§ 102.2</u>	<u>P</u>
844. 56	<u>Nighttime Entertainment</u>	<u>§§ 102.17, 181(f), 803.5(b), 823</u>	<u>NP</u>
844. 57	<u>Adult Entertainment</u>	<u>§ 890.36</u>	<u>NP</u>
844. 58	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>C</u>
844. 59	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>C</u>
844. 60	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>NP</u>
844. 61	<u>Pool Hall not falling within Category 890.50(a)</u>	<u>§221 (f)</u>	<u>C</u>
844. 63	<u>Recreation Facility</u>	<u>§ 890.81</u>	<u>NP</u>

Office

844. 65	<u>Office Uses in Landmark Historic Buildings</u>	<u>§§ 890.70, 803.9(b)</u>	<u>P</u>
844. 65a	<u>Services, Professional; Services, Financial; Services, Medical</u>	<u>§§ 790.110, 790.114, 790.116</u>	<u>P on the ground floor only if primarily open to the general public on a client-</u>

			<u>oriented basis; C above</u> <u>50,000 sq. ft.</u>
844. 66	<u>All Other Office Uses</u>	<u>§§ 890.70, 890.118</u>	<u>NP</u>
844. 67	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
<u>Motor Vehicle Services</u>			
844. 70	<u>Vehicle Storage--Open Lot</u>	<u>§ 890.131</u>	<u>NP</u>
844. 71	<u>Vehicle Storage--Enclosed Lot or Structure</u>	<u>§ 890.132, 157.1</u>	<u>C subject to 157.1</u>
844. 72	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>P with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
844. 73	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
844. 74	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>C with no ingress/egress onto alleys, as defined in the</u>

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			<u>Western SoMa Community Plan, containing RED or RED-MX Districts</u>
<u>844.75</u>	<u>Non-Auto Vehicle Sales or Rental</u>	<u>§ 890.69</u>	<u>C</u>
<u>Industrial, Home, and Business Service</u>			
<u>844.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P</u>
<u>844.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P</u>
<u>844.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P</u>
<u>844.81</u>	<u>Catering Service</u>	<u>§ 890.25</u>	<u>P</u>
<u>844.82</u>	<u>Business Goods and Equipment Repair Service</u>	<u>§ 890.23</u>	<u>P</u>
<u>844.83</u>	<u>Business Service</u>	<u>§ 890.111</u>	<u>P</u>
<u>844.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>C</u>
<u>844.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>NP</u>
<u>844.</u>	<u>Laboratory, not including</u>	<u>§§ 890.52, 890.53(a)</u>	<u>NP</u>

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<u>86</u>	<u>life science laboratory</u>		
<u>844.87</u>	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P</u>
<u>844.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u>	<u>NP</u>
<u>Other Uses</u>			
<u>844.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u>	<u>NP</u>
<u>844.91</u>	<u>Animal Services</u>	<u>§ 224, 823</u>	<u>P for grooming only. No 24 hour care.</u>
<u>844.92</u>	<u>Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§§ 890.80, 209.6(c), 227(h)</u>	<u>P</u>
<u>844.93</u>	<u>Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
<u>844.94</u>	<u>Internet Services Exchange</u>	<u>§ 209.6(c)</u>	<u>NP</u>
<u>844.95</u>	<u>Public Transportation Facilities</u>	<u>§ 890.80</u>	<u>P</u>

1	<u>844.</u>			<u>P up to 10,000 gsf per lot.</u>
2	<u>96</u>	<u>Open Air Sales</u>	<u>§§ 803.9(e), 890.38</u>	<u>NP above.</u>
3	<u>844.</u>			
4	<u>97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a), 209.5(b)</u>	<u>P</u>
5	<u>844.</u>			
6	<u>97b</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
7	<u>844.</u>			
8	<u>97c</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>
9				
10	<u>844.</u>	<u>Walk-up Facility, including</u>		
11	<u>98</u>	<u>Automated Bank Teller Machine</u>	<u>§§ 890.140, 803.9(b)</u>	<u>P</u>

SPECIFIC PROVISIONS FOR WMUG DISTRICTS

<u>Article Code</u>	<u>Other Code</u>	<u>Zoning Controls</u>
<u>Section</u>	<u>Section</u>	
<u>§ 844.23</u>		<u>Existing buildings may not be converted</u>
<u>§ 102.36</u>		<u>to Student Housing. Student Housing may</u>
		<u>only be approved in newly constructed</u>
		<u>buildings through a conditional use</u>
		<u>authorization pursuant to Section 303.</u>

SEC. 845. WMUO – WSOMA MIXED USE – OFFICE DISTRICT

The WSoMa Mixed Use-Office (WMUO) runs predominantly along the Townsend Street corridor between 4th Street and 7th Street and on 11th Street, from Harrison Street to the north side of Folsom Street. The WMUO is designed to encourage office uses along with small-scale light industrial and arts activities. Nighttime entertainment is permitted, although limited by buffers around RED and RED-MX districts.

Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses. Residential uses, large hotels, adult entertainment and heavy industrial uses are not permitted.

Table 845

WMUO— WSOMA MIXED USE – OFFICE DISTRICT

ZONING CONTROL TABLE

<u>Mixed Use – Office District</u>			
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING AND SITING STANDARDS</u>			
<u>845.01</u>	<u>Height Limit</u>	<u>See Zoning Map,</u> <u>§§ 260-261.1</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u> <u>Height sculpting required</u> <u>on narrow streets, §261.1</u>

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845.02	<u>Bulk Limit</u>	<u>See Zoning Map,</u> <u>§§ 270, 270.1,</u> <u>270.2</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u> <u>Mid-block alleys required,</u> <u>§270.2</u>
845.03	<u>Non-residential density</u> <u>limit</u>	<u>§§ 102.9, 123, 124,</u> <u>127</u>	<u>Generally contingent upon</u> <u>permitted height, per</u> <u>Section 124</u>
845.04	<u>Setbacks</u>	<u>§§ 136, 136.2,</u> <u>145.1</u>	<u>Generally not required</u>
845.05	<u>Awnings and Canopies</u>	<u>§§ 136, 136.1,</u> <u>136.2</u>	<u>P</u>
845.07	<u>Parking and Loading</u> <u>Access: Siting and</u> <u>Dimensions</u>	<u>§§ 145.1, 151.1,</u> <u>152.1, 155</u>	<u>Requirements apply</u>
845.09	<u>Residential to non-</u> <u>residential ratio</u>	<u>§ 803.8(e)</u>	<u>None</u>
845.10	<u>Off-Street Parking, Non-</u> <u>Residential</u>	<u>§§ 150, 151, 151.1,</u> <u>153-157, 204.5</u>	<u>None required. Limits set</u> <u>forth in Section 151.1</u>
845.12	<u>Usable Open Space for</u> <u>Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies</u> <u>based on use; may also</u> <u>pay in-lieu fee</u>

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<u>845.13</u>	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
<u>845.14</u>	<u>General Advertising Sign</u>	<u>§§ 607.2(b) & (e) and 611</u>	<u>NP</u>
<u>Residential Uses</u>			
<u>845.20</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>NP</u>
<u>845.21</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>NP</u>
<u>845.22</u>	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u>	<u>NP</u>
<u>845.23</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
<u>845.24</u>	<u>Dwelling Unit Density Limit</u>	<u>§§ 124, 207.5, 208</u>	<u>No density limit</u>
<u>845.25</u>	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.</u>
<u>845.26</u>	<u>Affordability Requirements</u>	<u>§ 415</u>	<u>15% onsite /20% off-site</u>
<u>845.27</u>	<u>Residential Demolition, Division or Conversion</u>	<u>§ 317</u>	<u>C</u>

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<u>Institutions</u>			
<u>845.30</u>	<u>Hospital, Medical Centers</u>	<u>§ 890.44</u>	<u>NP</u>
<u>845.31</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
<u>845.32</u>	<u>Educational Services</u>	<u>§ 823, 890.50(c)</u>	<u>C</u>
<u>845.33</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>P</u>
<u>845.34</u>	<u>Assembly and Social Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
<u>845.35</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
<u>845.36</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>
<u>Vehicle Parking</u>			
<u>845.40</u>	<u>Automobile Parking Lot</u>	<u>§§ 890.7, 890.9, 890.11, 157.1</u>	<u>C</u>
<u>845.41</u>	<u>Automobile Parking Garage</u>	<u>§§ 890.8, 890.10, 890.12, 157.1</u>	<u>C</u>
<u>Retail Sales and Services</u>			
<u>845.45</u>	<u>All Retail Sales and Services which are not listed below</u>	<u>§§ 890.104, 803.9(i), 121.6</u>	<u>P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above.</u>
<u>845.46</u>	<u>Formula Retail</u>	<u>§ 803.6</u>	<u>C up to 25,000 gsf per lot; NP above.</u>
<u>845.47</u>	<u>Ambulance Service</u>	<u>§ 890.2</u>	<u>C up to 25,000 gsf per lot;</u>

Supervisor Kim
BOARD OF SUPERVISORS

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			<u>NP above.</u>
<u>845.48</u>	<u>Self-Storage</u>	<u>§ 890.54(d)</u>	<u>NP</u>
<u>845.49</u>	<u>Tourist Hotel</u>	<u>§ 890.46</u>	<u>P up to 75 rooms</u>
<u>Assembly, Recreation, Arts and Entertainment</u>			
<u>845.55</u>	<u>Arts Activity</u>	<u>§ 102.2</u>	<u>P</u>
<u>845.56</u>	<u>Nighttime Entertainment</u>	<u>§§ 102.17, 181(f), 803.5(b), 823</u>	<u>C</u>
<u>845.57</u>	<u>Adult Entertainment</u>	<u>§ 890.36</u>	<u>NP</u>
<u>845.58</u>	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>NP</u>
<u>845.59</u>	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>NP</u>
<u>845.60</u>	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>P, up to three screens</u>
<u>845.61</u>	<u>Pool Hall not falling within Category 890.50(a)</u>	<u>§ 221(f)</u>	<u>P</u>
<u>845.62</u>	<u>Recreation Building or Facility</u>	<u>§§ 221(e), 823, 890.81</u>	<u>P</u>
<u>Office</u>			
<u>845.65</u>	<u>Office Uses in Landmark Historic Buildings or Contributory Buildings in Historic Districts</u>	<u>§§ 890.70, 803.9(b)</u>	<u>P</u>
<u>845.66</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>P</u>

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<u>845.67</u>	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
<u>Motor Vehicle Services</u>			
<u>845.70</u>	<u>Vehicle Storage--Open Lot</u>	<u>§ 890.131</u>	<u>NP</u>
<u>845.71</u>	<u>Vehicle Storage--Enclosed Lot or Structure</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
<u>845.72</u>	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>P</u>
<u>845.73</u>	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P</u>
<u>845.74</u>	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>C</u>
<u>845.75</u>	<u>Non-Auto Vehicle Sales or Rental</u>	<u>§ 890.69</u>	<u>P</u>
<u>Industrial, Home, and Business Service</u>			
<u>845.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P</u>
<u>845.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P</u>
<u>845.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P</u>
<u>845.81</u>	<u>Catering Service</u>	<u>§ 890.25</u>	<u>P</u>
<u>845.82</u>	<u>Business Goods and Equipment Repair Service</u>	<u>§ 890.23</u>	<u>P</u>
<u>845.83</u>	<u>Business Service</u>	<u>§ 890.111</u>	<u>P</u>

Supervisor Kim
BOARD OF SUPERVISORS

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<u>845.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P</u>
<u>845.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>P</u>
<u>845.86</u>	<u>Laboratory, not including life science laboratory</u>	<u>§§ 890.52, 890.53(a)</u>	<u>P</u>
<u>845.87</u>	<u>Non-Retail Greenhouse or Plant Nursery</u>	<u>§ 227(a)</u>	<u>P</u>
<u>845.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u>	<u>P in applicable buildings</u>
<u>Other Uses</u>			
<u>845.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u>	<u>NP</u>
<u>845.91</u>	<u>Animal Services</u>	<u>§ 224, 823</u>	<u>P</u>
<u>845.92</u>	<u>Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§§ 890.80, 209.6(c), 227(h)</u>	<u>P</u>
<u>845.93</u>	<u>Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
<u>845.94</u>	<u>Internet Services Exchange</u>	<u>§ 209.6(c)</u>	<u>C</u>

1	<u>845.95</u>	<u>Public Transportation</u> <u>Facilities</u>	<u>§ 890.80</u>	<u>P</u>
2				
3	<u>845.96</u>	<u>Open Air Sales</u>	<u>§§ 803.9(e), 890.38</u>	<u>P</u>
4				
5	<u>845.97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a),</u> <u>209.5(b)</u>	<u>P</u>
6				
7	<u>845.97b</u>	<u>Neighborhood</u> <u>Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
8				
9	<u>845.97c</u>	<u>Large-Scale Urban</u> <u>Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>
10				
11		<u>Walk-up Facility,</u>		
12	<u>845.98</u>	<u>including Automated</u>	<u>§§ 890.140,</u>	<u>P</u>
13		<u>Bank Teller Machine</u>	<u>803.9(b)</u>	

14 **SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT**

15 *The Service/Arts/Light Industrial (SALI) District is largely comprised of low-scale buildings*
16 *with production, distribution, and repair uses. The district is designed to protect and facilitate the*
17 *expansion of existing general commercial, manufacturing, home and business service, and light industrial*
18 *activities, with an emphasis on preserving and expanding arts activities. Nighttime entertainment is*
19 *permitted, although limited by buffers around RED and RED-MX districts. Residential uses, offices,*
20 *hotels, movie theaters, and adult entertainment uses are not permitted.*

21 **Table 846**

22 **SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT**

23 **ZONING CONTROL TABLE**

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<u>SALI District</u>			
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING AND SITING STANDARDS</u>			
<u>846.01</u>	<u>Height Limit</u>	<u>See Zoning Map,</u> <u>§§ 260-261.1</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u> <u>Height sculpting required</u> <u>on narrow streets, §261.1</u>
<u>846.02</u>	<u>Bulk Limit</u>	<u>See Zoning Map,</u> <u>§§ 270, 270.1,</u> <u>270.2</u>	<u>As shown on Sectional</u> <u>Maps 1 and 7 of the</u> <u>Zoning Map</u> <u>Mid-block alleys required,</u> <u>§270.2</u>
<u>846.03</u>	<u>Non-residential density</u> <u>limit</u>	<u>§§ 102.9, 123, 124,</u> <u>127</u>	<u>Generally contingent upon</u> <u>permitted height, per</u> <u>Section 124</u>
<u>846.04</u>	<u>Setbacks</u>	<u>§§ 136, 136.2,</u> <u>145.1</u>	<u>Generally not required</u>
<u>846.05</u>	<u>Awnings and Canopies</u>	<u>§§ 136, 136.1,</u> <u>136.2</u>	<u>P</u>
<u>846.06</u>	<u>Parking and Loading</u>	<u>§ 155(r)</u>	<u>No curb cuts permitted on</u>

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	<u>Access: Prohibition</u>		<u>corner lots onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts</u>
<u>846.07</u>	<u>Parking and Loading</u> <u>Access: Siting and Dimensions</u>	<u>§§ 145.1, 151.1, 152.1, 155</u>	<u>Requirements apply</u>
<u>846.09</u>	<u>Residential to non-residential ratio</u>	<u>§ 803.8(e)</u>	<u>None</u>
<u>846.10</u>	<u>Off-Street Parking, Non-Residential</u>	<u>§§ 150, 151, 151.1, 153-157, 204.5</u>	<u>None required. Limits set forth in Section 151.1</u>
<u>846.12</u>	<u>Usable Open Space for Non-Residential</u>	<u>§ 135.3</u>	<u>Required; amount varies based on use; may also pay in-lieu fee</u>
<u>846.13</u>	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>
<u>846.14</u>	<u>General Advertising Sign</u>	<u>§§ 607.2(b) & (e) and 611</u>	<u>NP</u>
<u>846.15</u>	<u>Hours of Operation</u>	<u>§ 890.48</u>	<u>P 6 a.m.--2 a.m. C 2 a.m.-6 a.m.</u>

1 **Residential Uses**

2

3	<u>846.20</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>NP</u>
4	<u>846.21</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>NP</u>
5	<u>846.22</u>	<u>SRO Units</u>	<u>§§ 823, 890.88(c)</u>	<u>NP</u>
6	<u>846.23</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
7	<u>846.24</u>	<u>Dwelling Unit Density</u> <u>Limit</u>	<u>§§ 124, 207.5, 208</u>	<u>No density limit</u>
8	<u>846.25</u>	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not applicable</u>
9	<u>846.26</u>	<u>Affordability</u> <u>Requirements</u>	<u>§ 315</u>	<u>15% onsite /20% off-site</u>
10	<u>846.27</u>	<u>Residential Demolition,</u> <u>Division or Conversion</u>	<u>§ 317</u>	<u>C</u>

14 **Institutions**

15

16	<u>846.30</u>	<u>Hospital, Medical</u> <u>Centers</u>	<u>§ 890.44</u>	<u>NP</u>
17	<u>846.31</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
18	<u>846.32</u>	<u>Educational Services</u>	<u>§§ 823, 890.50(c)</u>	<u>NP</u>
19	<u>846.33</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
20	<u>846.34</u>	<u>Assembly and Social</u> <u>Service</u>	<u>§ 890.50(a)</u>	<u>P</u>
21	<u>846.35</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>C</u>
22	<u>846.36</u>	<u>Medical Cannabis</u>	<u>§ 890.133</u>	<u>P#</u>

1		<u>Dispensary</u>		
2	<u>Vehicle Parking</u>			
3			<u>§§ 890.7, 890.9,</u>	
4	<u>846.40</u>	<u>Automobile Parking Lot</u>	<u>890.11, 157.1</u>	<u>C</u>
5		<u>Automobile Parking</u>	<u>§§ 890.8, 890.10,</u>	
6	<u>846.41</u>	<u>Garage</u>	<u>890.12, 157.1</u>	<u>C</u>
7	<u>Retail Sales and Services</u>			
8		<u>All Retail Sales and</u>		<u>P up to 10,000 gsf per lot;</u>
9		<u>Services which are not</u>	<u>§§ 890.104, 121.6</u>	<u>C up to 25,000 gsf; NP</u>
10	<u>846.45</u>	<u>listed below</u>		<u>above.</u>
11				
12		<u>Formula Retail</u>	<u>§ 803.6</u>	<u>C up to 25,000 gsf per lot;</u>
13	<u>846.46</u>			<u>NP above.</u>
14				<u>C up to 10,000 gsf per lot.</u>
15				<u>NP above. No</u>
16				<u>ingress/egress onto</u>
17				<u>alleys, as defined in the</u>
18	<u>846.47</u>	<u>Ambulance Service</u>	<u>§ 890.2</u>	<u>Western SoMa</u>
19				<u>Community Plan,</u>
20				<u>containing RED or</u>
21				<u>RED-MX Districts</u>
22	<u>846.48</u>	<u>Self-Storage</u>	<u>§ 890.54(d)</u>	<u>NP</u>
23	<u>846.49</u>	<u>Tourist Hotel</u>	<u>§ 890.46</u>	<u>NP</u>
24	<u>Assembly, Recreation, Arts and Entertainment</u>			
25				

1	<u>846.55</u>	<u>Arts Activity</u>	<u>§ 102.2</u>	<u>P</u>
2	3	<u>Nighttime</u>	<u>§§ 102.17, 181(f),</u>	<u>P</u>
3		<u>Entertainment</u>	<u>803.5(b), 823</u>	
4	<u>846.57</u>	<u>Adult Entertainment</u>	<u>§ 890.36</u>	<u>NP</u>
5	<u>846.58</u>	<u>Amusement Arcade</u>	<u>§ 890.4</u>	<u>C</u>
6	<u>846.59</u>	<u>Massage Establishment</u>	<u>§ 890.60</u>	<u>C</u>
7	<u>846.60</u>	<u>Movie Theater</u>	<u>§ 890.64</u>	<u>P, up to three screens</u>
8	9	<u>Pool Hall not falling</u>	<u>§221(f)</u>	<u>C</u>
9		<u>within Category</u>		
10	<u>846.61</u>	<u>890.50(a)</u>		
11	12	<u>Recreation Building or</u>	<u>§ 221(e), 823,</u>	<u>P</u>
12		<u>Facility</u>	<u>890.81</u>	
13	<u>Office</u>			
14	15	<u>Office Uses in Historic</u>	<u>§§ 890.70, 803.9(b)</u>	<u>NP</u>
15		<u>Landmark Buildings or</u>		
16	17	<u>Contributory Buildings</u>		
17		<u>in Historic Districts</u>		
18	<u>846.65</u>			
19	20	<u>Office Uses Related to</u>	<u>§§ 803.9(f), 822</u>	<u>P in Special Use District,</u>
20		<u>the Hall of Justice</u>		
21	<u>846.66</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>NP</u>
22	<u>846.67</u>	<u>Live/Work Units</u>	<u>§ 233</u>	<u>NP</u>
23	<u>Motor Vehicle Services</u>			
24	<u>846.70</u>	<u>Vehicle Storage--Open</u>	<u>§ 890.131</u>	<u>NP</u>

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	<u>Lot</u>		
846.71	<u>Vehicle Storage-- Enclosed Lot or Structure</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
846.72	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>P</u> with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts
846.73	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P</u> with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts
846.74	<u>Automobile Tow Service</u>	<u>§ 890.19</u>	<u>P</u> with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or

1			RED-MX Districts
2	<u>846.75</u>	<u>Non-Auto Vehicle Sales</u>	
3		<u>or Rental</u>	<u>P</u>
4	<u>Industrial, Home, and Business Service</u>		
5	<u>846.78</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u> <u>P</u>
6	<u>846.79</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u> <u>P</u>
7	<u>846.80</u>	<u>Trade Shop</u>	<u>§ 890.124</u> <u>P</u>
8	<u>846.81</u>	<u>Catering Service</u>	<u>§ 890.25</u> <u>P</u>
9	<u>846.82</u>	<u>Business Goods and</u>	
10		<u>Equipment Repair</u>	<u>§ 890.23</u> <u>P</u>
11		<u>Service</u>	
12	<u>846.83</u>	<u>Business Service</u>	<u>§ 890.111</u> <u>P</u>
13	<u>846.84</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u> <u>P</u>
14	<u>846.85</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u> <u>NP</u>
15	<u>846.86</u>	<u>Laboratory, not</u>	
16		<u>including life science</u>	<u>§§ 890.52,</u> <u>P except subsection (e) of</u>
17		<u>laboratory</u>	<u>890.53(a)</u> <u>890.52</u>
18	<u>846.87</u>	<u>Non-Retail Greenhouse</u>	
19		<u>or Plant Nursery</u>	<u>§ 227(a)</u> <u>P</u>
20	<u>846.88</u>	<u>Integrated PDR</u>	<u>§ 890.49</u> <u>NP</u>
21	<u>Other Uses</u>		
22	<u>846.90</u>	<u>Mortuary Establishment</u>	<u>§ 227(c)</u> <u>P</u>

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<u>846.91</u>	<u>Animal Services</u>	<u>§§ 224, 823</u>	<u>P</u>
<u>846.92</u>	<u>Public Use, except Public Transportation Facility, Internet Service Exchange, and Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§§ 890.80, 209.6(c), 227(h)</u>	<u>P</u>
<u>846.93</u>	<u>Commercial Wireless Transmitting, Receiving or Relay Facility</u>	<u>§ 227(h)</u>	<u>C</u>
<u>846.94</u>	<u>Internet Services Exchange</u>	<u>§ 209.6(c)</u>	<u>P</u>
<u>846.95</u>	<u>Public Transportation Facilities</u>	<u>§ 890.80</u>	<u>P</u>
<u>846.96</u>	<u>Open Air Sales</u>	<u>§§ 803.9(e), 890.38</u>	<u>P up to 10,000 gsf per lot; C up to 25,000 gsf; NP above.</u>
<u>846.97a</u>	<u>Open Recreation</u>	<u>§§ 209.5(a), 209.5(b)</u>	<u>P</u>
<u>846.97b</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
<u>846.97c</u>	<u>Large-Scale Urban</u>	<u>§ 102.35(b)</u>	<u>NP</u>

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	<u>Agriculture</u>		
<u>846.98</u>	<u>Walk-up Facility,</u> <u>including Automated</u> <u>Bank Teller Machine</u>	<u>§§ 890.140,</u> <u>803.9(b)</u>	<u>P</u>

1 **SPECIFIC PROVISIONS FOR SALI DISTRICTS**

2

<u>Article Code</u> <u>Section</u>	<u>Other Code</u> <u>Section</u>	<u>Zoning Controls</u>
§ 846.36 § 890.133		<u>Medical cannabis dispensaries in the SALI may only operate between the hours of 8:00am and 10:00pm.</u>

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10 **SEC. 847. – RED-MX—RESIDENTIAL ENCLAVE-MIXED DISTRICT.**

11 Residential Enclave-Mixed Districts (RED-MX) encompass some of the clusters of low-scale,

12 medium density, predominantly residential neighborhoods located along the narrow side streets of the

13 Western SoMa area. Many parcels in these residential enclaves are underdeveloped and represent

14 opportunities for new residential and low-intensity commercial uses.

15 While residential uses are encouraged throughout these districts, group housing is limited, and

16 student housing and single-room-occupancy units are prohibited. Small-scale retail, restaurants, arts

17 activities, and other commercial uses are principally permitted to create the potential for more active,

18 mixed use alleys. Some automobile-related and production, distribution, and repair uses are also

19 permitted with limitations. Existing commercial activities in nonresidential structures may continue as

20 nonconforming uses subject to the termination requirements of Article 1.7.

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Table 847

RED-MX—RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE

			<u>Residential Enclave-Mixed</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>847.01</u>	<u>Height</u>	<u>See Zoning Map</u>	<u>Generally 45 feet See Sectional Zoning Maps 1 and 7</u>
<u>847.02</u>	<u>Bulk</u>	<u>§ 270</u>	<u>See Sectional Zoning Maps 1 and 7</u>
<u>USE STANDARDS</u>			
<u>847.03</u>	<u>Residential Density</u>	<u>§§ 124(b), 208</u>	<u>No density limit</u>
<u>847.04</u>	<u>Non-Residential Density</u>	<u>§§ 102.9, 123, 124, 127</u>	<u>Generally, 1.0 to 1 floor area ratio</u>
<u>847.05</u>	<u>Usable Open Space for Dwelling Units and Group Housing</u>	<u>§§ 135, 823</u>	<u>80 sq. ft. per unit</u>
<u>847.07</u>	<u>Usable Open Space for Other Uses</u>	<u>§ 135.3</u>	<u>Varies by use</u>
<u>847.09</u>	<u>Outdoor Activity Area</u>	<u>§ 890.71</u>	<u>P if located in front; C if located elsewhere § 145.2(a)</u>

1	<u>847.10</u>	<u>Walk-up Facility</u>	<u>§ 890.140</u>	<u>NP</u>
2				<u>NP. C in Article 10</u>
3	<u>847.12</u>	<u>Residential Conversion</u>	<u>§ 317</u>	<u>Landmark Buildings</u>
4	<u>847.13</u>	<u>Residential Demolition</u>	<u>§ 317</u>	<u>C</u>
5	<u>USES</u>			
6	<u>Residential Use</u>			
7				
8	<u>847.14</u>	<u>Dwelling Units</u>	<u>§ 102.7</u>	<u>P</u>
9	<u>847.15</u>	<u>Group Housing</u>	<u>§ 890.88(b)</u>	<u>C</u>
10			<u>§§ 823,</u>	
11	<u>847.16</u>	<u>SRO Units</u>	<u>890.88(c)</u>	<u>NP</u>
12	<u>847.16a</u>	<u>Student Housing</u>	<u>§ 102.36</u>	<u>NP</u>
13	<u>Institutions</u>			
14				
15	<u>847.17</u>	<u>Hospital, Medical Centers</u>	<u>§ 890.44</u>	<u>NP</u>
16	<u>847.18</u>	<u>Residential Care</u>	<u>§ 890.50(e)</u>	<u>NP</u>
17			<u>§§ 823,</u>	
18	<u>847.19</u>	<u>Educational Services</u>	<u>890.50(c)</u>	<u>C</u>
19	<u>847.20</u>	<u>Religious Facility</u>	<u>§ 890.50(d)</u>	<u>C</u>
20	<u>847.21</u>	<u>Assembly and Social Service</u>	<u>§ 890.50(a)</u>	<u>C</u>
21	<u>847.22</u>	<u>Child Care</u>	<u>§ 890.50(b)</u>	<u>P</u>
22				
23	<u>847.23</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 890.133</u>	<u>NP</u>
24	<u>Vehicle Parking</u>			
25	<u>847.25</u>	<u>Automobile Parking Lot,</u>	<u>§§ 890.7, 157.1</u>	<u>C</u>

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	<u>Community Residential</u>		
<u>847.26</u>	<u>Automobile Parking Garage,</u> <u>Community Residential</u>	<u>§§ 890.8, 157.1</u>	<u>C</u>
<u>847.27</u>	<u>Automobile Parking Lot,</u> <u>Community Commercial</u>	<u>§§ 890.9, 157.1</u>	<u>C</u>
<u>847.28</u>	<u>Automobile Parking Garage,</u> <u>Community Commercial</u>	<u>§§ 890.10,</u> <u>157.1</u>	<u>C</u>
<u>847.29</u>	<u>Automobile Parking Lot,</u> <u>Public</u>	<u>§§ 890.11,</u> <u>157.1</u>	<u>C</u>
<u>847.30</u>	<u>Automobile Parking Garage,</u> <u>Public</u>	<u>§§ 890.12,</u> <u>157.1</u>	<u>C</u>
<u>Retail Sales and Service</u>			
<u>847.31</u>	<u>All Retail Sales and Services</u> <u>which are not listed below</u>	<u>§ 890.104</u>	<u>NP</u>
<u>847.32</u>	<u>Retail Sales and Service Use in</u> <u>a <u>Landmark Historic Building</u></u>	<u>§ 803.9(b)</u>	<u>C</u>
<u>847.33</u>	<u>Formula Retail</u>	<u>§ 803.6</u>	<u>NP</u>
<u>847.34a</u>	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
<u>847.34b</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>
<u>847.35</u>	<u>Other Retail Sales and</u> <u>Services</u>	<u>§ 890.102</u>	<u>P up to 1,250 gsf per lot. C</u> <u>above. NP above 1 FAR</u>

1	<u>847.36</u>	<u>Personal Service</u>	<u>§ 890.116</u>	<u>P up to 1,250 gsf per lot. C</u>
2				<u>above. NP above 1 FAR</u>
3	<u>Assembly, Recreation, Arts and Entertainment</u>			
4	<u>847.37</u>	<u>Nighttime Entertainment</u>	<u>§§ 102.17,</u>	<u>NP</u>
5			<u>803.5(b), 823</u>	
6	<u>847.38</u>	<u>Meeting Hall, not within §</u>	<u>§ 221(c)</u>	<u>NP</u>
7		<u>813.21</u>		
8	<u>847.39</u>	<u>Recreation Building or Facility</u>	<u>§§ 221(e), 823,</u>	<u>NP</u>
9			<u>890.81</u>	
10	<u>847.40</u>	<u>Pool Hall, Card Club, not</u>	<u>§§ 221(f),</u>	<u>NP</u>
11		<u>within § 813.21</u>	<u>803.4</u>	
12	<u>847.41</u>	<u>Theater, falling within §</u>	<u>§§ 221(d),</u>	<u>P up to 1,250 gsf per lot. C</u>
13		<u>221(d), except Movie Theater</u>	<u>890.64</u>	<u>above. NP above 1 FAR</u>
14				
15	<u>Home and Business Service</u>			
16	<u>847.42</u>	<u>Trade Shop</u>	<u>§ 890.124</u>	<u>P up to 1,250 gsf per lot. C</u>
17				<u>above. NP above 1 FAR</u>
18	<u>847.43</u>	<u>Catering Services</u>	<u>§ 890.25</u>	<u>P up to 1,250 gsf per lot. C</u>
19				<u>above. NP above 1 FAR</u>
20	<u>847.45</u>	<u>Business Goods and</u>	<u>§ 890.23</u>	<u>P up to 1,250 gsf per lot. C</u>
21		<u>Equipment Repair Service</u>		<u>above. NP above 1 FAR</u>
22	<u>847.46</u>	<u>Arts Activities, except within a</u>	<u>§ 102.2</u>	<u>P up to 1 FAR. C above. NP</u>
23		<u>Live/Work Unit</u>		<u>above 1.5 FAR.</u>
24	<u>847.47</u>	<u>Business Services</u>	<u>§ 890.111</u>	<u>P up to 1,250 gsf per lot. C</u>
25				

			<i>above. NP above 1 FAR</i>
<u>Office</u>			
<u>847.48</u>	<u>Office Uses in Landmark Historic Buildings</u>	<u>§ 803.9(b)</u>	<u>C</u>
<u>847.53</u>	<u>All Other Office Uses</u>	<u>§ 890.70</u>	<u>NP</u>
<u>Live/Work Units</u>			
<u>847.54</u>	<u>Live/Work Unit where the Work Activity is an Arts Activity</u>	<u>§§ 102.2, 102.13, 209.9(f) (g), 233</u>	<u>NP</u>
<u>847.55</u>	<u>Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts</u>	<u>§ 803.9(b)</u>	<u>NP</u>
<u>847.56</u>	<u>All Other Live/Work Units</u>	<u>§§ 102.13, 233</u>	<u>NP</u>
<u>Automotive Services</u>			
<u>847.57</u>	<u>Vehicle Storage--Open Lot</u>	<u>§ 890.131</u>	<u>NP</u>
<u>847.58</u>	<u>Vehicle Storage--Enclosed Lot or Structure</u>	<u>§§ 890.132, 157.1</u>	<u>C</u>
<u>847.59</u>	<u>Motor Vehicle Service Station, Automotive Wash</u>	<u>§§ 890.18, 890.20</u>	<u>NP</u>
<u>847.60</u>	<u>Motor Vehicle Repair</u>	<u>§ 890.15</u>	<u>P up to 1,250 gsf per lot. C above. NP above 1 FAR</u>
<u>847.61</u>	<u>Motor Vehicle Tow Service</u>	<u>§ 890.19</u>	<u>NP</u>

1	<u>847.62</u>	<u>Non-Auto Vehicle Sales or</u>	<u>§ 890.69</u>	<u>NP</u>
2		<u>Rental</u>		
3	<u>847.63</u>	<u>Public Transportation Facility</u>	<u>§ 890.80</u>	<u>NP</u>
4	<u>Industrial</u>			
5	<u>847.13</u>	<u>Wholesale Sales</u>	<u>§ 890.54(b)</u>	<u>P up to 1,250 gsf per lot. C</u>
6				<u>above. NP above 1 FAR</u>
7	<u>847.13a</u>	<u>Light Manufacturing</u>	<u>§ 890.54(a)</u>	<u>P up to 1,250 gsf per lot. C</u>
8				<u>above. NP above 1 FAR</u>
9	<u>847.13b</u>	<u>Commercial Storage</u>	<u>§ 890.54(c)</u>	<u>P up to 1,250 gsf per lot. C</u>
10				<u>above. NP above 1 FAR</u>
11	<u>847.13c</u>	<u>Laboratory, life science</u>	<u>§ 890.53(a)</u>	<u>NP</u>
12	<u>847.13d</u>	<u>Laboratory, not including life</u>	<u>§§ 890.52,</u>	<u>NP</u>
13		<u>science laboratory</u>	<u>890.53(a)</u>	
14	<u>847.13e</u>	<u>Non-Retail Greenhouse or</u>	<u>§ 227(a)</u>	<u>P up to 1,250 gsf per lot. C</u>
15		<u>Plant Nursery</u>		<u>above. NP above 1 FAR</u>
16	<u>Other Uses</u>			
17	<u>847.66</u>	<u>Open Air Sales</u>	<u>§§ 890.38, 803.</u>	<u>P up to 1,250 gsf per lot. C</u>
18			<u>9(e)</u>	<u>above. NP above 1 FAR</u>
19	<u>847.69</u>	<u>Public Use, except Public</u>	<u>§ 890.80</u>	<u>C</u>
20		<u>Transportation Facility</u>		
21	<u>847.68</u>	<u>Open Recreation</u>	<u>§§ 209.5(a),</u>	<u>P</u>
22			<u>209.5(b)</u>	

1	847.74a	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>
2	847.74b	<u>Large-Scale Urban</u> <u>Agriculture</u>	<u>§ 102.35(b)</u>	<u>NP</u>

5 **SEC. 890.81. RECREATION FACILITY.**

6 A publicly or privately owned facility of at least 10,000 gross square feet that offers free or fee-
7 based membership to the general public and is used for recreational activities such as ice skating,
8 bowling, swimming, soccer, tennis, racquetball, basketball, softball, baseball, and similar activities.
9 The facility may also include play areas for children and accessory accommodations such as locker
10 rooms and activity rooms.

11 **SEC. 890.88. RESIDENTIAL USE.**

12 ...

13 (c) **Single Room Occupancy (SRO) Unit.** A dwelling unit or group housing room
14 consisting of no more than one occupied room with a maximum gross floor area of 350 square
15 feet and meeting the Housing Code's minimum floor area standards. The unit may have a
16 bathroom in addition to the occupied room. As a dwelling unit, it would have a cooking facility
17 and bathroom. As a group housing room, it would share a kitchen with one or more other
18 single room occupancy unit/s in the same building and may also share a bathroom. A single
19 room occupancy building (or "SRO" building) is one that contains no residential uses other than
20 only SRO units and ~~non non~~ accessory living space.

1 Section 3. Effective Date. This ordinance shall become effective 30 days from the
2 date of passage.

3
4 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
5 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
6 punctuation, charts, diagrams, or any other constituent part of the Name of Code here Code
7 that are explicitly shown in this legislation as additions, deletions, Board amendment
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1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the legislation.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:

7 
8 ANDREA RUIZ-ESQUIDE
9 Deputy City Attorney
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Supervisor Kim
BOARD OF SUPERVISORS

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LEGISLATIVE DIGEST

[Planning Code - Implementing the Western South of Market Area Plan]

Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and with the Priority Policies of Planning Code, Section 101.1.

Existing Law

The San Francisco Planning Code regulates the process for submission, review, and approval of various development activities within the City and County of San Francisco. The Planning Code establishes different districts or areas within the City where different developments can occur, such as residential districts, commercial districts, open space areas, or mixed used districts. The Planning Code also establishes which uses are permitted, conditional, or not permitted within the different districts, and sets forth the general parameters for development within each district, in terms of height, bulk, open space requirements, setbacks, etc.

Amendments to Current Law

This Ordinance would amend the Planning Code by adding and amending various sections, in order to implement the Western SoMa Area Plan. The Western SoMa Area Plan is bounded by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area.

The Ordinance would create the following new Sections: Section 743, for the Folsom Neighborhood Commercial Transit District (Folsom NCT); Section 744, regarding the Regional Commercial District (RCD); Section 844, for the Western SoMa Mixed Use – General District (WMUG); Section 845, for the Western SoMa Mixed Use – Office District (WMUO); Section 846, for the Service/Arts/Light Industrial District (SALI); and Section 847, for the the Residential Enclave – Mixed District (RED-MX). It also would also amend several other sections, to implement the policies of the Plan and to make conforming amendments.

This legislation adopts environmental findings, Section 302 findings, and findings of consistency with the General Plan and with the Priority Policies of Section 101 of the Planning Code.

Background Information

Together with the ordinances amending the General Plan and the Zoning Map, this Ordinance implements the Western SoMa Area Plan. The Western SoMa community planning process began in 2001, originally as a part of Eastern Neighborhoods, with the goal of developing new zoning controls for the industrial portion of this neighborhood. The Western SoMa plan area was eventually removed from the Eastern Neighborhoods planning process and on November 23, 2004 the Board of Supervisors passed Resolution No. 731-04 creating the Western SoMa Citizens Planning Task Force ("Task Force"). The Task Force was charged with conducting a comprehensive analysis of the Western SoMa plan area and developing recommendations. The Task Force, with assistance from the Planning Department held numerous public workshops and worked with consultants throughout 2008, resulting in the publication of a Draft Western SoMa Community Plan in September 2008. An updated version of the plan was published in October 2011.



SAN FRANCISCO PLANNING DEPARTMENT

January 3, 2013

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

RE: Transmittal of the Western SoMa Community Plan
Planning Case No. 2008.0877EMTZU
130001, 130002
Board File Number: 130003, 130004 (pending)
Planning Commission Recommendation: Approval

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Dear Ms. Calvillo, the Honorable Mayor Ed Lee, and the Honorable Supervisor Jane Kim:

I am pleased to transmit the Planning Commission's recommendation for adoption of the Western SoMa Community Plan (Case 2008.0877EMTZU) to the Board of Supervisors. Please find here a description of the approval actions and supporting documentation for the Board's consideration.

The result of a multi-year public planning process that began in 2005, the Western SoMa Community Plan is a comprehensive vision for shaping growth on the western side of the South of Market area, designed to reduce land use conflicts between industry and entertainment and other competing uses, such as office and housing in areas designated as Service, Arts, and Light Industrial (SALI); protect existing residential uses on the alleys; retain existing jobs in the area; and encourage diverse and affordable housing, mixed-used areas, and a complete neighborhood. The Plan complements the Eastern Neighborhoods Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific area based on today's understanding of the issues and focused community outreach to the residents and workers in the area, and would result in the potential to generate over \$42 million for public infrastructure. The Plan was created and shaped by the Western SoMa Citizen's Planning Task Force, created by the Board of Supervisors through ordinance in 2004.

On November 8, 2012 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the initiation of proposed Ordinances.

On December 6, 2012 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting and voted to recommend approval of the proposed Ordinances.

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The following items are included in this package and were reviewed by the Historic Preservation Commission and approved by the Planning Commission:

1. Environmental Review CEQA Findings and Mitigation Measures

The Environmental Review findings identify significant unavoidable environmental impacts, compare Project alternatives, describe mitigation measures, and make a Statement of Overriding Considerations recognizing the Project's unique benefits.

2. General Plan Amendments Ordinance

Amendments to the General Plan include the addition of the Western SoMa Area Plan to the General Plan and updates to various General Plan Elements to include text and map references to the Area Plan.

3. Planning Code Amendments Ordinance

Proposed Planning Code amendments would revise controls including but not limited to those for land use, density, height, open space, parking, and impact fees; and make related amendments to the Planning Code necessary to implement the Western SoMa Community Plan, including adding Sections 175.5, 261.2, 263.28, 263.29, 703.9, 743 et seq., 744 et seq., 844 et seq., 845 et seq., 846 et seq., 847 et seq., and 890.81, and amending Planning Code Sections 121.1, 121.2, 121.7, 124, 134, 135, 141, 145.1, 151.1, 155, 182, 201, 204.4, 207.4, 207.5, 207.6, 208, 270.2, 316, 329, 401, 423 et seq., 429.2, 607.1, 702.1, 703.2, 802.1, 802.4, 802.5, 803.3, 803.6, 803.7, 803.9, 813, 822, 823, and 890.88.

4. Zoning Map Amendments Ordinance

Proposed amendments to the Zoning Maps include amendments to Sectional Maps ZN01, ZN07, ZN08 (Zoning Districts), HT01, HT07, and HT08 (Height and Bulk Districts). Proposed map amendments will reclassify properties as necessary to implement the General Plan as proposed to be amended pursuant to adoption of the Western SoMa Community Plan. These amendments would generally reclassify areas zoned SLR north of Harrison Street to WMUG, RCD, Folsom Street NCT, WMUO, RED, or RED-MX, and areas zoned SLI and SSO south of Harrison Street to SALI, WMUO, RED, and RED-MX.

These amendments would also reclassify the height and bulk districts of certain parcels consistent with the proposed Western SoMa Community Plan. Heights north of Harrison Street range from 40 feet in the RED districts to 55-65 feet on most parcels larger than one-half acre. Heights south of Harrison Street range from 30 feet on blocks adjacent to the I-80 freeway, to 40-55 feet in the SALI district, and up to 85 feet in the WMUO district along Townsend Street.

The Planning Commission voted to amend the proposed zoning for the properties along 11th Street between Harrison Street and Folsom Street, and the two properties immediately north of the intersection of Folsom Street and 11th Street from WMUG to WMUO. This amendment was detailed in Planning Commission Resolution No. 18760, which included a list of Block and Lot numbers intended to represent these properties along 11th Street. Additionally, the associated

Zoning Map Amendment Ordinance was updated to reflect this amendment, and subsequently approved as to form by the City Attorney.

However, the list of Block and Lot numbers detailed in Resolution No. 18760 did not accurately reflect all of the intended properties. An updated list of properties is provided as an attachment to this letter, and the Planning Department will request the Board of Supervisors to amend the final Zoning Map Amendment Ordinance to reflect the updated list.

5. Administrative Code Amendments Ordinance

These include amendments to Chapter 10E to incorporate the Western SoMa Community Plan into the Eastern Neighborhoods program area and its associated monitoring and interagency implementation framework.

6. Implementation Plan

The document provides an inventory of public improvements and a recommended funding program to implement these improvements. This document would guide the Board of Supervisors and Interagency Plan Implementation Committee in expending Plan-related revenues.

On November 7, 2012 the Historic Preservation Commission considered elements of the Plan related to historic preservation, and recommended their approval by the Board with comments. The Planning Commission incorporated all of the Historic Preservation Commission comments and approved all of these items on December 6, 2012 and recommends Board approval of the ordinances necessary to implement the Western SoMa Community Plan. If you have further questions, please contact Corey Teague, the Plan Manager, at (415) 575-9081. We look forward to the Board's consideration of these items and to the implementation of this Plan.

Sincerely,



John Rahaim
Director of Planning

CC: Mayor's Office, Jason Elliot
Deputy City Attorney, Andrea Ruiz-Esquide
Alisa Miller, Clerk of the Land Use Committee

Attachments (two copies of the following):

Planning Commission Resolution Nos. 18757, 18758, 18759, 18760, 18761, and 18762
Planning Commission Executive Summary for Case No. 2008.0877EMTZU
Environmental Review CEQA Findings and Mitigation Measures
Draft Ordinance General Plan Amendment and Legislative Digest
(original sent via interoffice mail)

Draft Ordinance Planning Code Text Amendment and Legislative Digest
(original sent via interoffice mail)

Draft Ordinance Zoning Map Amendment and Legislative Digest
(original sent via interoffice mail)

Zoning Map Amendment – 11th Street Update

Draft Ordinance Administrative Code Amendment and Legislative Digest
(original sent via interoffice mail)

Implementation Plan

Historic Preservation Commission Resolution No. 695

Note: In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents", the Planning Department has submitted multi-page documents related to the Western SoMa Plan [BF pending] in digital format. A hard copy of these documents is available from the Clerk of the Board. Additional hard copies may be requested by contacting Corey Teague of the Planning Department at 415-575-9081.



SAN FRANCISCO PLANNING DEPARTMENT

Western SoMa Community Plan Transmittal Packet to Board of Supervisors

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Table of Contents

Date: January 3, 2013
Case No.: 2008.0877~~EMT~~ZU
Staff Contact: *Western SoMa Community Plan Adoption*
Corey Teague - (415) 575-9081
corey.teague@sfgov.org

I. Executive Summary Materials

I-1 Executive Summary Memo

II. CEQA Findings – E Case

II-1 CEQA Findings Case Report

II-2 CEQA Findings Planning Commission Resolution No. 18757

II-3 CEQA Findings and Mitigation Monitoring and Reporting Program

III. General Plan Amendments – M Case

III-1 General Plan Amendments Case Report

III-2 General Plan Amendments Planning Commission Resolution No. 18758

III-3 General Plan Amendments Draft Ordinance

III-4 Western SoMa Area Plan

III-4A General Plan Draft Text and Map Amendments

IV. Planning Code Amendments – T Case

IV-1 Planning Code Amendments Case Report

IV-2 Planning Code Amendments Planning Commission Resolution No. 18759

IV-3 Planning Code Amendments Draft Ordinance

IV-4 Draft Planning Code Amendments Summary Table

IV-5 Draft Planning Code Amendments Zoning Guide

V. Zoning Map Amendments – Z Case

V-1 Zoning Map Amendments Case Report

V-2 Zoning Map Amendments Planning Commission Resolution No. 18760

V-3 Zoning Map Amendments Draft Ordinance

V-4 Zoning Map Amendment – 11th Street Update

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VI. Administrative Code Amendments – U Case

VI-1 Administrative Code Amendments Case Report

VI-2 Administrative Code Amendments Planning Commission Resolution No. 18761

VI-3 Administrative Code Amendments Draft Ordinance

VII. Implementation Program – U Case

VII-1 Program Implementation Document Case Report

VII-2 Program Implementation Document Planning Commission Resolution No. 18762

VII-3 Western SoMa Community Plan Program Implementation Document

VIII. Historic Preservation Commission Actions

VIII-1 HPC Resolution No. 695 (Review and Comment on Western SoMa Community Plan Adoption and Related Ordinances)



SAN FRANCISCO PLANNING DEPARTMENT

Exhibit I-1: Western SoMa Community Plan Adoption Packet Executive Summary HEARING DATE: DECEMBER 6, 2012

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Date: November 29, 2012
Case No.: **2008.0877MTZU**
Staff Contact: *Western SoMa Community Plan Adoption*
Corey Teague - (415) 575-9081
corey.teague@sfgov.org
Recommendation: **Approval**

SUMMARY

The San Francisco Planning Department is seeking to adopt and implement the Western SoMa Community Plan ("the Plan"). The result of a multi-year public planning process that began in earnest in 2005, the Plan is a comprehensive vision for shaping growth on the western side of the South of Market area. The Plan's chief objectives are to reduce land use conflicts between industry and entertainment and other competing uses, such as office and housing in areas designated as Service, Arts, and Light Industrial (SALI); protect existing residential uses on the alleys; retain existing jobs in the area; and encourage diverse and affordable housing, mixed-used areas, and a complete neighborhood.

Adoption of the Plan will consist of numerous actions. These include:

1. Adoption of CEQA Findings, including a Statement of Overriding Considerations
2. General Plan Amendments
3. Planning Code Amendments
4. Zoning Map Amendments
5. Administrative Code Amendments
6. Approval of a Program Implementation Document

Together with actions related to certification of the Final Environmental Impact Report and adoption of CEQA Findings, these actions will constitute the Commission's approval of the Western SoMa Community Plan and its implementing mechanisms.

On November 8, 2012 the Planning Commission passed resolutions to Initiate the Amendments to the General Plan, Planning Code, and Zoning Maps and instructed Planning staff to provide public notice for a public hearing on the proposed amendments on or after December 6, 2012. Proper notification was provided according to the requirements of the Planning Code, including a newspaper advertisement 20

days prior to the hearing and mailed notice to all property owners within the Plan Area and within 300 feet of the Plan Area 20 days prior to the hearing.

PRELIMINARY STAFF RECOMMENDATION

Staff recommends adoption of the draft Resolutions for all items related to adoption of the Western SoMa Community Plan.

PLAN BACKGROUND

The Western SoMa community planning process began in 2001, originally as a part of Eastern Neighborhoods, with the goal of developing new zoning controls for the industrial portion of this neighborhood. The Western SoMa plan area, which focuses on the area roughly bounded by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area, was eventually removed from the Eastern Neighborhoods planning process.

On November 23, 2004 the Board of Supervisors passed Resolution No. 731-04 creating the Western SoMa Citizens Planning Task Force ("Task Force"). The Task Force was charged with conducting a comprehensive analysis of the Western SoMa plan area and developing recommendations, and specifically to:

- (1) Use existing zoning as the starting point for an analysis of land use decisions that will shape the future of the entire community;
- (2) Map and evaluate existing Residential Enclave Districts (REDs) and consider modifications to existing RED zoning map boundaries;
- (3) Recommend basic RED preservation policies including height, density and design guidelines;
- (4) Map and evaluate land uses proximate to existing and proposed REDs and develop basic height, density and design guidelines in order to provide a buffer between REDs and areas where more intense development might be allowed;
- (5) Map overall western SoMa existing land use conditions;
- (6) Recommend policies for the preservation of service and light industrial jobs, residential uses, and arts and entertainment opportunities;
- (7) Consider policies to guide increased heights and density along the major arterial streets where appropriate;
- (8) Recommend policies that promote more community-serving retail and commercial uses and that encourage improvements to transportation, open space, street safety, bicycle circulation, and mass transit; and

(9) Develop recommendations to ensure that the creation of a future Folsom Boulevard be developed in such a manner as to complement all of the above referenced goals.

The Task Force, with assistance from the Planning Department, held numerous public workshops and worked with consultants throughout 2008, resulting in the publication of a Draft Western SoMa Community Plan in September 2008. An updated version of the plan was published in October 2011.

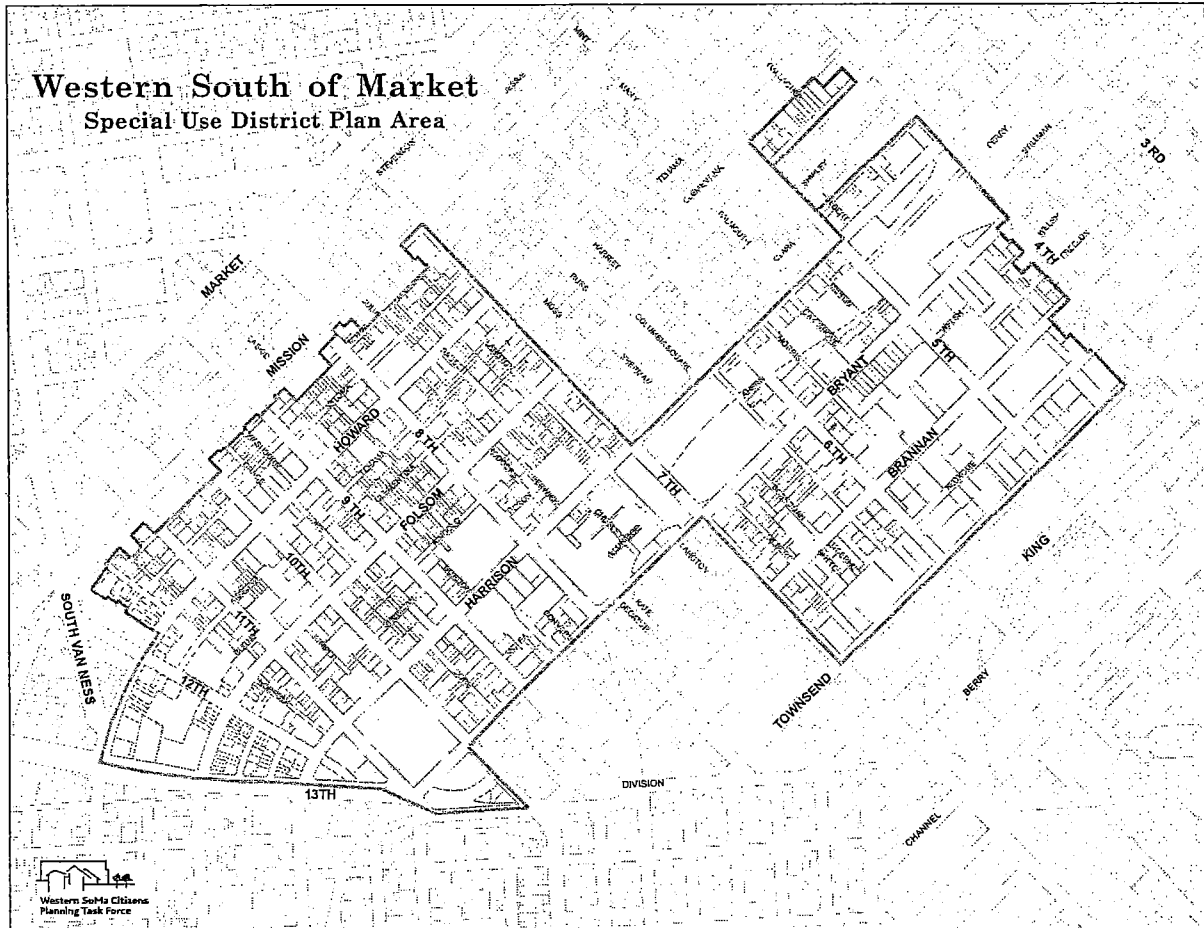
The Western SoMa Area Plan ("the Plan") supports and builds on the Eastern Neighborhoods Plan's vision for the traditionally industrial and mixed use areas in the eastern part of the City. The Plan complements the Eastern Neighborhoods Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific area based on today's understanding of the issues and focused community outreach to the residents and workers in the area.

The Plan lays the policy foundation for additional changes that are detailed in the Planning Code and Zoning Map amendments and other proposed implementation measures. The following Key Principles inform all the objectives and policies contained in the Plan:

- Encourage new housing at appropriate locations and make it as affordable as possible to a range of City residents;
- Reserve sufficient space for production, distribution and repair activities, in order to support the City's economy and provide good jobs for residents
- Generally maintain the existing scale and density of the neighborhood, allowing appropriate increases in strategic locations;
- Plan for transportation, open space, community facilities and other critical elements of complete neighborhoods;
- Protect and support the social heritage resources of the Filipino and LBGT communities within the plan area;
- Plan for new development that will serve the needs of existing residents and businesses; and
- Maintain and promote a diversity of land uses, and reserve new areas for arts activities and nighttime entertainment.

PLAN AREA

The Western SoMa Community Plan Area consists of approximately 298 acres (including public rights-of-way) stretching from 4th Street to Division Street. The boundaries of the Plan area are roughly 7th Street, Mission Street, Division Street, and Bryant Street in the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street in the eastern portion of the plan area.



Western SoMa Community Plan Area

ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report on June 20, 2012. The Planning Commission will consider certification of the Final Environmental Impact Report on the Transit Center District Plan and adoption of CEQA Findings prior to consideration of this item at the hearing on December 6, 2012.



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 695

HEARING DATE: November 7, 2012

Date: November 7, 2012
Case No.: 2008.0877MTZU
Project Name: **Western SoMa Community Plan**
Review and Comment on Plan Adoption and related Ordinances
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@sfgov.org
Reviewed By: Tim Frye, Preservation Coordinator – (415) 575-6822
tim.frye@sfgov.org

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT PROPOSED ORDINANCES ASSOCIATED WITH THE WESTERN SOMA COMMUNITY PLAN TO AMEND THE SAN FRANCISCO GENERAL PLAN, PLANNING CODE, AND ZONING MAPS, INCLUDING AMENDMENTS TO PLANNING CODE, AND MAKING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

1. WHEREAS, on November 7, 2012, the San Francisco Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider aspects in the proposed Western SoMa Community Plan and related Ordinances that directly impact historic resources; and
2. WHEREAS, Article 10 of the San Francisco Planning Code establishes, the purpose, powers and duties of the Historic Preservation Commission. Per Planning Code Section 1002(a)(9), the Historic Preservation Commission shall review and provide written reports to the Planning Commission and Board of Supervisors on ordinances and resolutions concerning historic preservation issues and historic resources, redevelopment plans, waterfront land use and project plans, and such other matters as may be prescribed by ordinance; and
3. WHEREAS, the San Francisco Planning Department is seeking to implement the Western SoMa Community Plan ("the Plan"), which seeks to reduce land use conflicts between industry and entertainment and other competing uses, such as office and housing in areas designated as Service, Arts, and Light Industrial (SALI); protect existing residential uses on the alleys; retain existing jobs in the area; and encourage diverse and affordable housing, mixed-used areas, and a complete neighborhood. The Plan contains goals and policies that would affect historic resources.

The Western SoMa neighborhood is a place containing a balance of production, distribution, and repair (PDR) uses mixed with other uses. The objectives of maintaining a balance of PDR uses with housing, offices, retail and other uses and seeking to avoid future land use conflicts are at the heart of the Western SoMa Community Plan.

The Western SoMa community planning process began in 2001, originally as a part of Eastern Neighborhoods Plan, with the goal of developing new zoning controls for the industrial portion of this neighborhood. On November 23, 2004, the Board of Supervisors passed Resolution No. 731-04 creating the Western SoMa Citizens Planning Task Force, which was charged with conducting a comprehensive analysis of the plan area and developing recommendations.

A series of workshops and surveys were conducted where stakeholders articulated goals for the neighborhood and considered how new zoning and policies might promote these goals. The Western SoMa Citizens Planning Task Force further developed these ideas and developed Strategic Analysis Memos (SAMs) on housing, preservation, transportation, open space, and economics. The Task Force also worked with the San Francisco Department of Public Health's *Healthy Development Measurement Tool* to ensure the Plan met strategic public health goals. This community outreach, research, and City agency collaboration led to the creation and publication of a *Draft Community Plan for Citizens Review* in 2008. The additional comments collected from the community in response to that document allowed the task force to finalize the Draft Western SoMa Community Plan later that year. Based on Planning Department and City Attorney review, the Draft Western SoMa Community Plan was further updated in 2011.

The Western SoMa Community Plan supports and builds on the Eastern Neighborhoods Plan's vision for the traditionally industrial and mixed use areas in the eastern part of the City. The Plan complements the Eastern Neighborhoods Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific area based on today's understanding of the issues and focused community outreach to the residents and workers in the area.

The Plan lays the policy foundation for additional changes that are detailed in the Planning Code, Zoning Map and other implementation measures. The following Key Principles inform all the objectives and policies contained in the Plan:

- Encourage new housing at appropriate locations and make it as affordable as possible to a range of City residents;
- Reserve sufficient space for production, distribution and repair activities, in order to support the City's economy and provide good jobs for residents
- Generally maintain the existing scale and density of the neighborhood, allowing appropriate increases in strategic locations;

- Plan for transportation, open space, community facilities and other critical elements of complete neighborhoods;
- Protect and support the social heritage resources of the Filipino and LGBT communities within the plan area;
- Plan for new development that will serve the needs of existing residents and businesses; and
- Maintain and promote a diversity of land uses, and reserve new areas for arts activities and nighttime entertainment.

The core policies and supporting discussion in the Plan have been incorporated into an Area Plan proposed to be added to the General Plan. The General Plan, Planning Code, and Zoning Map Amendments, along with the Implementation Document, provide a comprehensive set of policies and implementation programming to realize the vision of the Plan. The Implementation Document outlines public improvements, funding mechanisms, and interagency coordination the City must pursue to implement the Plan.

Policies envisioned for the Community Plan are consistent with the existing General Plan. However, a number of amendments to the General Plan are required to further achieve and clarify the vision and goals of the Western SoMa Community Plan, to reflect its concepts throughout the General Plan, and generally to update the General Plan to changed physical, social and economic conditions in this area.

4. WHEREAS, the Historic Preservation Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented at the hearing by Department staff and other interested parties; and
5. WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

THEREFORE BE IT RESOLVED that the Historic Preservation Commission has reviewed the proposed Western SoMa Community Plan, including Chapter 6 on Preservation, and recommends **APPROVAL** of the proposed Western SoMa Community Plan and the associated ordinances with the following comments:

- Within the Western SoMa Community Plan, all reference to the "Landmarks Preservation Advisory Board" should be edited to refer to the "Historic Preservation Commission."
- The Western SoMa Community Plan should contain timeline and implementation plan for specific actions.

- In implementing the objectives and policies of the Western SoMa Community Plan, the Commission recommends exploring new strategies, including use of public art, for integrating social history into traditional historic preservation.
- The Western SoMa Community Plan should provide zoning and land use incentives for properties that are not eligible for local landmark status, but which retain strong historic character and integrity.
- Within the Chapter 6 (Preservation) of the Western SoMa Community Plan, the Commission recommends the following edits:
 - Policy 6.1.3 should be edited to read: *“Conduct historic and socio-cultural heritage resource surveys within the Western SoMa.”*
 - Policy 6.1.4 should be edited to read: *“Establish boundaries and designations in all proposed and new preservation districts.”*
 - Policy 6.2.3 should be edited to read: *“Protect properties associated with events contributing to local history, including events that occur in public streets and alley.”*
 - Policy 6.2.4, 6.2.5, 6.2.6, and 6.2.7 should be condensed into one policy statement, which reads: *“Protect properties that are significant for their architecture and design, including those eligible under National Register Criteria C (Design/Construction) and California Register Criterion 3 (Architecture)”*
 - Policy 6.3.3 should be edited to read: *“Prevent or avoid historic resource demolitions.”*
 - Policy 6.3.6 should be edited to read: *“Preserve and protect all identified Native American and other archaeological resources.”*

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording Secretary to transmit this Resolution, and other pertinent materials in the Case File No. 2008.0877MTZU to the Planning Commission and Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission at its regularly scheduled meeting on November 7, 2012.

Jonas P. Ionin
Acting Commission Secretary

PRESENT: Chase, Damkroger, Hasz, Johns, Martinez and Wolfram

ABSENT: Matsuda

ADOPTED: November 7, 2012



SAN FRANCISCO PLANNING DEPARTMENT

Exhibit IV-1: Approval of Planning Code Amendments Case Report

HEARING DATE: DECEMBER 6, 2012

Date: November 29, 2012
Case No.: 2008.0877MTZU
*Western SoMa Area Plan –
Planning Code Amendments*
Staff Contact: Corey Teague - (415) 575-9081
corey.teague@sfgov.org
Reviewed By: Joshua Switzky – (415) 575-6815
joshua.switzky@sfgov.org
Recommendation: **Approval**

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DESCRIPTION

The San Francisco Planning Department proposes amending the Planning Code of the City and County of San Francisco to implement land use policy changes contained in the Western SoMa Community Plan. Proposed amendments to the Planning Code were initiated by the Planning Commission on November 8, 2012 in Resolution 18737.

For background on the Western SoMa Community Plan, see the accompanying Executive Summary staff report.

PRELIMINARY STAFF RECOMMENDATION

Staff recommends approval of the draft Resolution to Recommend Approval of the proposed amendments to the Planning Code.

PLANNING CODE AMENDMENTS

Proposed changes to the Planning Code include but are not limited to those related to land use, density, height, open space, parking, and impact fees. Proposed Planning Code text and related map amendments will make revisions to existing sections of the Planning Code and introduce new sections necessary to implement the General Plan as proposed to be amended pursuant to adoption of the Western SoMa Community Plan.

The Draft Planning Code Amendments Summary Table (Exhibit IV-4) provides a general description of the proposed Planning Code amendments necessary, in part, to implement the Western SoMa Community Plan. The WSoMa Planning Code Amendments Zoning Guide (Exhibit IV-5) provides a snapshot of land use and development controls for each district within the plan area.

ENVIRONMENTAL REVIEW

The Department published the Draft Environmental Impact Report on June 20, 2012. The Planning Commission will consider certification of the Final Environmental Impact Report on the Western SoMa Community Plan and adoption of CEQA Findings prior to consideration of this item at the hearing on December 6, 2012.

RELATED ACTIONS

As part of its actions approving the Western SoMa Community Plan, the Planning Commission will consider Amendments to the General Plan, Zoning Maps, and Administrative Code and approval of the Plan Program Implementation Document. These proposed actions are discussed in separate Staff Reports.

ATTACHMENTS

- Exhibit IV-2 Draft Resolution of Intention to Initiate Planning Code Amendments
- Exhibit IV-3 Draft Planning Code Amendments Ordinance
- Exhibit IV-4 Draft Planning Code Amendments Summary Table
- Exhibit IV-5 Draft Planning Code Amendments Zoning Guide



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18759 HEARING DATE DECEMBER 6, 2012

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Date: November 29, 2012
Case No.: **2008.0877EMTZU**
Staff Contact: *Western SoMa Area Plan –
Planning Code Amendments*
Corey Teague - (415) 575-9081
corey.teague@sfgov.org
Reviewed By: Joshua Switzky – (415) 575-6815
joshua.switzky@sfgov.org
Recommendation: **Approval**

ADOPTING A RESOLUTION TO AMEND THE SAN FRANCISCO PLANNING CODE TO IMPLEMENT THE WESTERN SOMA AREA PLAN

WHEREAS, Section 4.105 of the City and County of San Francisco Charter mandates that the Planning Commission shall periodically recommend amendments to the Planning Code to the Board of Supervisors; and the San Francisco Planning Department is proposing to amend the Planning Code to implement the Western SoMa Community Plan (the "Western SoMa Area Plan" or "the Plan") and to bring Planning Code regulations governing this area into consistency with the Plan.

The Planning Commission, at a duly noticed public hearing on November 8, 2012 and in accordance with Planning Code Section 302(b), initiated the Planning Code amendments that are the subject of this Resolution.

The Planning Code amendments propose to apply the Eastern Neighborhoods Infrastructure Impact Fee to development on parcels in the Western SoMa Plan area. The proposed fee amounts are supported by the Western SoMa Nexus Study on file with the Department in San Francisco Planning Department Case No. 2008.0877EMTZU and are incorporated herein by reference.

The Planning Commission incorporates by reference the General Plan and Section 101 consistency findings and overview concerning the Western SoMa Area Plan as set forth in Planning Commission Resolution No. 18758, governing General Plan amendments.

Prior to considering the amendments to the General Plan, Planning Code, Zoning Maps and other actions related to implementing the Western SoMa Area Plan, the Planning Commission adopted Resolution No. 18756 certifying the Final Environmental Impact Report for the Western SoMa Area Plan in accordance with the California Environmental Quality Act (CEQA). The Planning Commission also adopted Motion No. 18757, adopting CEQA Findings related to the Western SoMa Area Plan.

WHEREAS, the Planning Commission, at a duly noticed public hearing on December 6, 2012, amended the recommended Planning Code amendments to 1) permit more flexible land uses for buildings in the Folsom Street NCT, RCD, WMUG, RED, and RED-MX Districts that are a designated landmark building per Article 10 of the Planning Code, buildings designated as significant or contributory pursuant to Article 11 of this Code and located within the Extended Preservation District, or a building listed in or determined individually eligible for the National Register of Historic Places or the California Register of Historical Resources by the State Office of Historic Preservation, 2) principally permit child care facilities in the RED District, 3) principally permit ground floor dwelling units in the Folsom NCT and RCD Districts regardless of property size, and 4) create a grandfathering provision for residential projects within areas proposed to be rezoned to WMUO.

NOW, THEREFORE, BE IT RESOLVED, that the Commission adopts and incorporates by reference the CEQA Findings in Commission Resolution No. 18757;

AND BE IT FURTHER RESOLVED, that the Improvement Measures identified in the Mitigation Monitoring and Reporting Plan for the Plan, attached as Exhibit 1 to the CEQA Findings in Commission Resolution No. 18757, shall be adopted as part of the Plan;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 302(c), the Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code;

AND BE IT FURTHER RESOLVED, that the Commission finds the Planning Code amendments, on balance, consistent with the General Plan as proposed for amendment and with the eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 18758, which is incorporated herein by reference;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 302(c), the Commission approves the Planning Code amendments contained in an ordinance approved as to form by the City Attorney hereto attached as Exhibit IV-3 and recommends their adoption by the Board of Supervisors.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 6, 2012.

Jonas P. Ionin
Acting Commission Secretary

AYES: Antonini, Borden, Fong, Hillis, Moore, Sugaya, and Wu

NOES:

ABSENT:

**Resolution 18759
December 6, 2012**

**CASE NO. 2008.0877EMTZU
Adoption of Planning Code Amendments
Related to the Western SoMa Community Plan**

ADOPTED: December 6, 2012

Exhibit IV-4 Planning Code Amendments Summary Table

Planning Code Section	Topic Addressed	Amendment Description
121.1	Lot size limits	Folsom NCT was made to match the adjacent SoMa NCT. RCD limit was set at 10,000sf due to existing large lots in the District.
121.2	Use size limits	Set principally permitted use size limits at 4,000sf for the Folsom NCT (larger permitted with conditional use authorization) and 10,000sf for the RCD (permitted with conditional use authorization up to 25,000sf).
121.7	Lot mergers and street frontage limits	Restricted lot mergers to those resulting in street frontage of no more than 100 feet in WMUG, WMUO, Folsom NCT, and RCD, and to no more than 50 feet in RED and RED-MX.
124	Floor area ratios	Set Floor Area Ratio limits for newly created districts.
134	Rear yards	Set rear yard requirement for WMUG, RED, and RED-MX at 25 percent of lot depth, with a minimum of 15 feet, which must be provided at grade. Rear yards in RCD and Folsom NCT set at 25 percent at the second floor and above.
135	Residential open space	Set new Eastern Neighborhood mixed use districts to match the open space requirements of existing districts, except that the reduction for publicly accessible open space. Set open space controls for Folsom NCT and RCT to match SoMa NCT.
141	Rooftop screening	Added references to new districts.
145.1	Ground floor ceiling heights and street frontage requirements	Set minimum ground floor ceiling heights for non-residential uses at 14 feet in the WMUG, WMUO, and RED-MX districts. Set a maximum of one 10-foot garage door per lot in the RED district.
151.1	Off-street parking	Set parking maximums for WMUG, WMUO, RED, RED-MX, and SALI to match MUG and MUO. Set parking maximums in Folsom NCT and RCD to match SoMa NCT.
155(d)(g)(r)	Loading spaces, parking fee rate structure, and prohibited curb cuts	Prohibit curb cuts onto alleys from corner lots in SALI when the alley also contains RED or RED-MX zoning on the interior of the block.
175.5	Grandfathering provision	Create a grandfathering provision for residential projects in the WMUO district that applied prior to August 2008.
182	Nonconforming uses	Remove an unnecessary reference to RED.
201	Use districts	Add new districts created by the WSoMa Community Plan and remove RED from the "R" district classification.
204.4	Accessory dwelling units	Permit accessory dwelling units in artist workspaces in WMUG.
207.4	Dwelling unit densities in Neighborhood Commercial districts	Set Folsom NCT and RCD to not be limited by lot area, but by the applicable requirements and limitations elsewhere in this Code, including but not limited to height, bulk, setbacks, open space, exposure, and unit mix, as well as by applicable design guidelines, applicable elements and area plans

Exhibit IV-4 Planning Code Amendment Summary Table

Planning Code Section	Topic Addressed	Amendment Description
		of the General Plan, and design review by the Planning Department.
207.5	RED dwelling unit density	Remove RED from this Section.
207.6	Dwelling unit mix	Added the RCD as a district where a minimum dwelling unit mix applies.
208	Group housing density	Set group housing density in new Eastern Neighborhood mixed use and Neighborhood Commercial districts to match existing districts.
261.2	Folsom Street NCT setback	Require a 15-foot setback for any portion of a building above 55 feet and fronting on Folsom Street in the Folsom Street NCT.
263.28	Increased heights in SALLI	Establish split-height districts in the SALLI of 40-55 feet. Projects requesting heights above 40 feet must dedicate at least one floor to arts activities.
263.29	Height bonus for major developments	Establish various split-height districts. Projects requesting heights above their base height are subject to the criteria provided in the Western SoMa Special Use District in Section 823.
270.2	Mid-Block alleys	Require projects in new Eastern Neighborhood districts with significant frontage to provide a mid-block alley of at least 30 feet wide to connect primary streets with interior alleys whenever possible.
316	Conditional uses	Add a reference to a new trigger for conditional use authorization in the Western SoMa Special Use District for projects seeking heights above their base height.
329	Large project authorization	Add a reference to a trigger requiring a conditional use authorization instead of a large project authorization for projects in the Western SoMa Special Use District seeking heights above their base height.
401	Definitions for impact fees	Add references to appropriate WSoMa implementation documents.
423 et seq	Eastern Neighborhoods impact fees	Add appropriate references to WSoMa implementation documents to be included within the Eastern Neighborhood Impact Fee and Public Benefits Fund.
429.2	Public art requirement	Add WMUG, WMUO, and SALLI to existing requirements for public art.
607.1	Signs in Neighborhood Commercial districts	Add Folsom Street NCT and RCD to existing controls for sign in Neighborhood Commercial Districts.
702.1	Neighborhood Commercial districts	Added Folsom Street NCT and RCD as Neighborhood Commercial Districts.
703.2	Limited live performance	Exclude RCD from Neighborhood Commercial Districts permitting Limited Live Performance spaces as accessory uses.
703.9	Permitted uses in Landmark buildings in neighborhood commercial districts	Create provisions to allow office space within Folsom Street NCT and RCD within Article 10 Landmark buildings.
743.1	Folsom Street NCT	Add the Folsom Street NCT description and table of permitted uses.
744.1	Regional Commercial District (RCD)	Add the RCD description and table of permitted uses.

Exhibit IV-4 Planning Code Amendment Summary Table

Planning Code Section	Topic Addressed	Amendment Description
802.1	Mixed use districts	Add WMUG, WMUO, RED, RED-MX, and SALI as new mixed use districts.
802.4	Eastern Neighborhood mixed use districts	Add WMUG, WMUO, RED, RED-MX, and SALI as new Eastern Neighborhoods mixed use districts.
802.5	SoMa mixed use districts	Remove RED from the SoMa mixed use district classification.
803.3(b)(1)(c)(i) and (vi)	Accessory uses in mixed use districts	Add new Eastern Neighborhood mixed use districts to existing controls. Permit Limited Live Performance in the SALI and WMUO districts.
803.6	Formula retail uses	Update reference to Western SoMa Special Use District to match its new name.
803.7	WSoMa permit review	Delete this section because notification within the Special Use District will be covered by Section 312.
803.9(a) & (b)	Permitted uses in Landmark buildings in Eastern Neighborhood mixed districts, and the South of Market Special Hall Of Justice Legal Services District	Provide more flexible land use controls in new Eastern Neighborhoods mixed use districts within Article 10 Landmark building. Update language throughout the Section for consistency. Permit office uses related to the Hall of Justice in SALI within the South of Market Special Hall Of Justice Legal Services District.
813	RED table of permitted uses	Update table of permitted uses.
822	South of Market Special Hall Of Justice Legal Services District	Update reference to controls in SALI table of permitted uses.
823	Western SoMa Special Use District	Simplify the name to the "Western SoMa Special Use District" and provide specific controls regarding design, rear yards, open space, dwelling unit exposure, noncomplying nighttime entertainment uses, good neighbor policies, single-room-occupancy units, recreational facilities, nighttime entertainment and animal services buffers around RED and RED-MX districts south of Harrison Street, formula retail uses, and major developments of more than one half acre requesting heights above their base height requirements.
844	WMUG District	Add the WMUG description and table of permitted uses.
845	WMUO District	Add the WMUO description and table of permitted uses.
846	SALI District	Add the SALI description and table of permitted uses.
847	RED-MX District	Add the RED-MX description and table of permitted uses.
890.81	Recreation facility definition	Create a new definition for recreational facilities.
890.88(c)	Definition of single-room-occupancy units and buildings	Set minimum size for single-room-occupancy units at 275 square feet in the Western SoMa Special Use District. Clarify the definition of a single-room-occupancy building so that the ground floor may be non-residential, but all residential uses within the building must be single-room-occupancy units for the building to be considered a "SRO" building.

Western SoMa Zoning Guide

DECEMBER 2012

Permitted Land Uses

	WMUG	W9450	SALI	F-NOT	RQD	RED	RED-M
RESIDENTIAL USE							
Dwelling Units	P	NP	NP	P	P	P	P
Single Resident Occupancy (SRO) units	P	NP	NP	P above ground floor	P above ground floor	NP	NP
Market Rate Housing in Landmark (Article 10) Buildings	P	NP	NP	C on ground floor; P above	C on ground floor; P above	P	P
Unit Mix ⁽¹⁾	40% 2 BR required; 10% 3 bdr encouraged	N/A	N/A	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged
INSTITUTIONS							
Educational	C	C	NP	NP	NP	NP	C
Hospital, Medical Centers	NP	NP	NP	NP	NP	NP	NP
Religious Facility	C	P	C	NP	NP	NP	C
Child Care	P	P	C	P	P for 12 or less children; C for above	NP	P
RETAIL							
General Retail	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Hotel	NP	P up to 75 rooms	NP	P up to 25 rooms	NP	NP	NP
Formula Retail	C up to 10,000 sf per parcel; NP above	C up to 25,000 sf per parcel	C up to 25,000 sf per parcel	C	C	NP	NP
Restaurant	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf	P up to 10,000 sf per parcel; NP above.	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Limited Restaurant	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf	P up to 10,000 sf per parcel; NP above.	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Bars	P up to 10,000 sf per parcel; NP above	P	P	P on ground floor only	NP	NP	NP
Liquor Store	C	C	C	C	C	NP	NP
Adult Entertainment	NP	NP	NP	NP	NP	NP	NP
Massage Establishment	C	C	C	C	C	NP	NP
Auto Sales	NP	NP	NP	NP	NP	NP	NP
Movie Theater (up to 3 screens)	NP	P	P	NP	NP	NP	NP
ARTS AND ENTERTAINMENT							
Arts Activities other than Theaters	P	P	P	P	P	C	P up to 1 FAR sf per parcel; C above; Max of 1.5 FAR
Nighttime Entertainment	NP	P subject to Residential Buffers	P subject to Residential Buffers	NP	NP	NP	NP
Limited Live Performance (Accessory Use Only)	NP	P	P	P	NP	NP	NP
Theater	P	P	P	P on ground floor; C on second floor	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
OFFICE							
Office	NP	P	NP	P on either first or second floor, but not both	P on either first or second floor, but not both	NP	NP
Office in a Landmark (Article 10) Bldg	P	P	NP	P	P	C	C
Live/Work Units	NP	NP	NP	NP	NP	NP	NP
INDUSTRIAL / PDR⁽²⁾							
Wholesale Sales	P	P	P	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Light Manufacturing	P	P	P	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Motor Vehicle Repair	P with no ingress/egress from alleys	P with no ingress/egress from alleys	P with no ingress/egress from alleys	C with no ingress/egress from alleys	C with no ingress/egress from alleys	NP	P up to 1,250 sf per parcel; C up to 1 FAR.
Self-storage	NP	NP	NP	NP	NP	NP	NP
Storage and Distribution	C	C	P	P	P	NP	P up to 1,250 sf per parcel; C up to 1 FAR.
Parking lots	C	C	C	NP	C	NP	C
Parking Garages	C; must meet siting guidelines and shared vehicle facilities	C; must meet siting guidelines and shared vehicle facilities	C; must meet siting guidelines and shared vehicle facilities	NP	C; must meet siting guidelines and shared vehicle facilities	NP	C; must meet siting guidelines and shared vehicle facilities

Standards for Development

	WMUG	W9450	SALI	F-NOT	RQD	RED	RED-M
Development on Lots over a Certain Size	No restrictions	No restrictions	No restrictions	C on lots over 10,000 sf	C on lots over 10,000 sf	No restrictions	No restrictions
Dwelling Unit Density Limit	None, see unit mix above	N/A	N/A	None, see unit mix above	None, see unit mix above	None, see unit mix above	None, see unit mix above
Residential to Nonresidential Ratio	None	None	None	None	None	None	None
Floor Area Ratio for Non-Residential Uses (See Sec. 124)	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	2.5 to 1	2.5 to 1	1.0 to 1	1.0 to 1
Usable Open Space per Dwelling Unit	80 sf private or common	80 sf private or common	80 sf private or common	80 sf if private or 106 sf if common	80 sf if private or 106 sf if common	80 sf private or common	80 sf private or common
Open Space for Nonresidential Uses	Required; amount varies based on use; may also pay in-lieu fee	Required; amount varies based on use; may also pay in-lieu fee	Required; amount varies based on use; may also pay in-lieu fee	N/A	N/A	N/A	N/A
Residential Off-street parking	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit; NP above 0.75 cars for each dwelling unit.	P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit; NP above 0.75 cars for each dwelling unit.	P up to three cars for each four dwelling units; C up to one car for each dwelling unit; NP above one car for each dwelling unit.	P up to three cars for each four dwelling units; C up to one car for each dwelling unit; NP above one car for each dwelling unit.
Non Residential Off-street accessory parking	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).
Demolition/Subdivision of Units	C	C	C	C	C	C	C
Residential Conversion	C	C	C	C	C	NP	C
Drive-Up/Drive Through	NP	NP	NP	NP	NP	NP	NP

P=Permitted, C=Conditional, NP=Not Permitted, NA=Not Applicable
 (1) Applies to 5 or more units; not required for senior, disabled or group housing.
 (2) This is a representative sample of use controls for PDR districts; actual zoning language will be more comprehensive.

Executive Summary

Acting on the recommendations of the Western SoMa Community Plan, the City of San Francisco Planning Department (Planning Department) is undergoing the process of rezoning land within the Western SoMa neighborhood (see figure 1, map of Western SoMa). This Nexus Study Report (Report) analyzes the relationship, or nexus, between projected new development in Western SoMa resulting from the rezoning efforts and the cost of providing public facilities to meet increased demand from new residents and workers. Specifically, it calculates the cost or nexus amount for libraries, transportation, recreation and parks, and child care.

Whenever possible, this Report is consistent with the methodology utilized in the 2008 San Francisco Eastern Neighborhoods Nexus Study.¹ Modifications from the Eastern Neighborhoods methodology include inflating key inputs to reflect current costs and utilizing inputs specific to Western SoMa, particularly in the areas of projected growth and open space planning.

A. Total Western SoMa Nexus Amount

The Western SoMa nexus amount is comprised of individual nexus amounts for libraries, transportation, recreation and parks, and child care. The total Western SoMa nexus amount for residential development is \$21.35 per gross square foot. The amounts for each category of non-residential development are shown in Table 1. The background and methodology for each nexus component will be discussed individually in subsequent sections of this Report.

Table 1.

Total Nexus Amount per Gross Square Foot					
Western SoMa Community Plan Area					
	Library ^a	Transportation	Recreation and Parks	Child Care	Total Nexus Amount
Residential^b	\$0.14	\$16.26	\$9.54	\$1.50	\$27.44
Non-Residential					
Cultural/Institutional/Educational	n/a	\$106.57	\$2.53	\$1.41	\$110.51
Motel/Hotel	n/a	\$48.36	\$1.42	\$0.79	\$50.58
Medical	n/a	\$63.45	\$2.53	\$1.41	\$67.39
Office	n/a	\$40.15	\$2.53	\$1.41	\$44.09
Retail	n/a	\$443.69	\$1.90	\$1.06	\$446.65
Industrial/PDR	n/a	\$17.53	\$1.63	\$0.91	\$20.06

^a Library nexus amount is not applicable to non-residential development, as discussed in the second section of this document.

^b The child care nexus amount does not apply to Single Room Occupancy (SRO) or senior units as discussed in the fifth section of this document.

B. Determination of Impact Fee

¹ The 2008 San Francisco Eastern Neighborhoods Nexus Study can be found on the Planning Department's website at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1467> or in Board File No. XXXX.

The City will determine an appropriate impact fee rate for development in Western SoMa based on the calculation of the nexus amount. The determination of the fee amount will consider community and City goals as well as the potential impact of the fee on development feasibility.

I. Background

A. Introduction

The City of San Francisco Planning Department (Planning Department), working closely with the Western SoMa Citizens Planning Task Force, is in the process of rezoning 206 acres in the Western South of Market (SoMa) neighborhood (see figure 1, map of Western SoMa). This Nexus Study Report (Report) analyzes the relationship, or nexus, between projected new development in Western SoMa resulting from the rezoning efforts and the cost of providing public facilities to meet increased demand from new residents and workers. Specifically, it calculates the cost or nexus amount for libraries, transportation, recreation and parks, and child care.

The rezoning effort in Western SoMa is part of a larger comprehensive community planning effort undertaken by the Western SoMa Citizens Planning Task Force. This Task Force was established by the San Francisco Board of Supervisors in late 2004 as an advisory body comprised of three City departments and a broad range of community stakeholders. The Task Force led a three-year participatory visioning process for Western SoMa that culminated in the creation of the 2008 Western SoMa Community Draft Plan. Based on a comprehensive review and comment period, the Western SoMa Community Plan (the Plan) was released in 2011 as a Proposal for Adoption and shared with the public and Planning Commission. The land use and zoning scenarios analyzed for this Report are part of this comprehensive community planning effort.

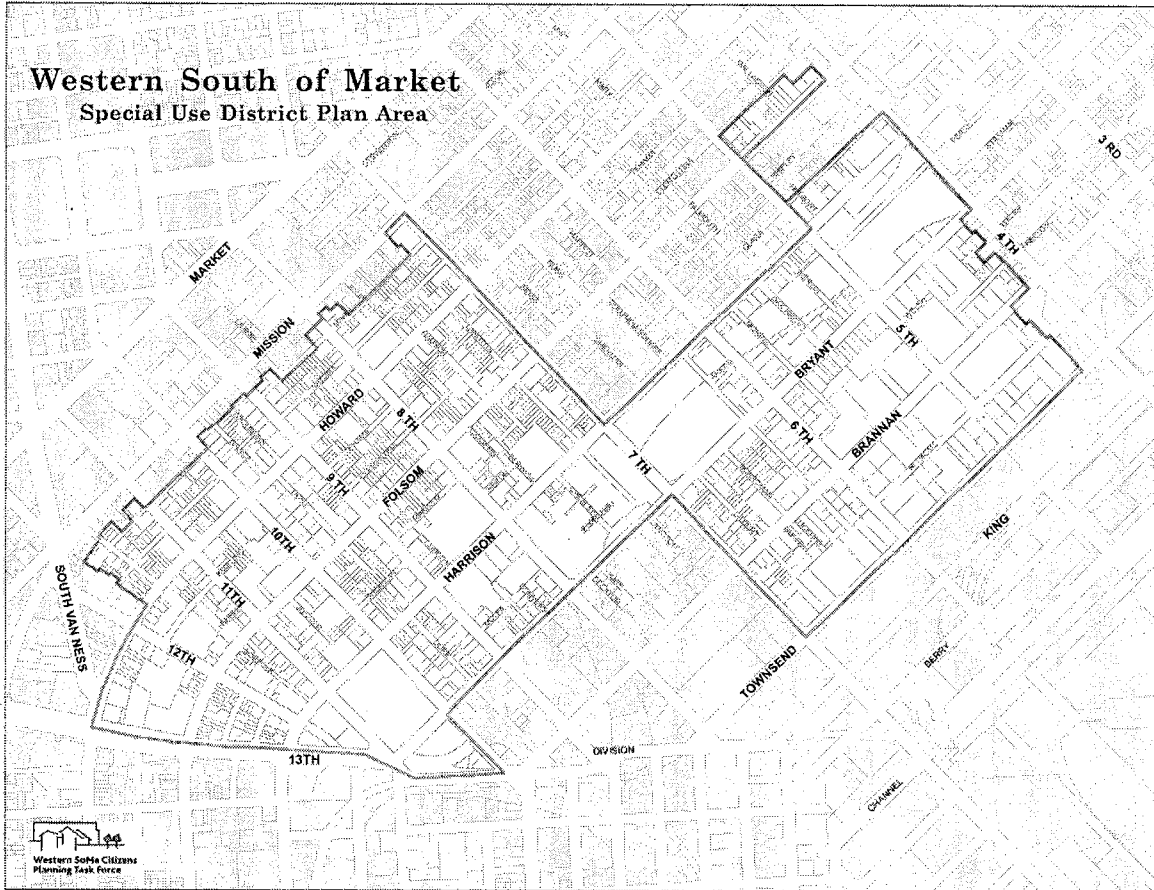
The rezoning of Western SoMa follows a larger rezoning effort for the Eastern Neighborhoods, an area that includes the adjacent neighborhoods of Eastern SoMa, the Mission, Showplace Square/Potrero Hill, and the Central Waterfront. Given the geographic proximity and similar land use issues in the two areas, this Report relies on the methodology and the background provided in the 2008 San Francisco Eastern Neighborhoods Nexus Study by Seifel Consulting, Inc.²

Like the Eastern Neighborhoods, Western SoMa is projected to experience an increase in both residential and non-residential development in the coming years. In order to address the impact of new residents and workers on public infrastructure, the Plan proposes the adoption of development impact fees, and this Report presents the supporting nexus study for these fees.

The Western SoMa nexus is comprised of four components: library, transportation, recreation and parks, and child care. These individual components will be combined to determine the total Western SoMa nexus amount. From the nexus amount, the City will determine a feasible impact fee.

² The 2008 San Francisco Eastern Neighborhoods Nexus Study can be found on the Planning Department's website at <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1467> or in Board File No. XXXX.

Figure 1: Western SoMa



1. Report Organization

This report uses the same organizational structure as the Eastern Neighborhoods Nexus Study. Where information is redundant, this Report references the Eastern Neighborhoods Nexus Study.

2. Overview of Process

This nexus study builds on the needs expressed in the Western Soma Community Plan and the needs projected by Seifel consulting in the Eastern Neighborhoods Nexus Study. The City utilizes a variety of tools to meet each neighborhood's need for community facilities and amenities. One such tool is an impact fee, which endeavors to offset the costs of providing public facilities to meet the demands of new development. Impact fees do not address existing deficiencies. State Assembly Bill 1600 and the Quimby Act enable the City to impose impact fees on new development.

A nexus study is a critical component to support the imposition of impact fees. This Report fulfills this component by establishing the nexus between residents and workers associated with

new development and the increased need for library materials, transportation, recreation and parks facilities, and child care. These individual components will be combined to determine the total Western SoMa nexus amount. The City will then propose a Western SoMa Impact Fee based on the nexus amount and adjusted according to broader community goals and development feasibility. For a more detailed overview of process, please refer to the Eastern Neighborhoods Study, Section I-A-2.

3. Purpose and Use of Potential Revenues

The purpose and use of potential revenues from a Western SoMa impact fee are consistent with the purpose and use of revenues from the Eastern Neighborhoods impact fee. Revenues will not be used to address existing deficiencies, and all revenues will be spent locally. Detailed descriptions of the purpose and use of potential revenues can be found in the individual component sections of the Eastern Neighborhood Nexus Study.

4. Type of Development on Which Fees Are Imposed

The City plans to apply a Western SoMa impact fee to both residential and non-residential development. The transportation, recreation and park, and child care components will be applied to both residential and non-residential uses, while the library component will be applied only to residential uses. Rationale for the application of nexus components can be found in the individual component sections of the Eastern Neighborhoods Nexus Study, and definitions of applicable uses can be found in Section I-A-6 of that study.

5. Impact Fee Maintenance.

In order to stay current with the increasing costs, the Impact Fee should be reviewed on an annual basis and updated based on appropriate indices. This will allow the City to collect enough funds to maintain its facilities and services to serve new development as the cost of providing these services increases. Additionally, a deeper review of methodologies and community needs shall be conducted every five years to ensure that the Impact Fees remain relevant to the changing needs of the community.

B. Nexus Study Methodologies

The methodologies used in this report are derived from those used in the Eastern Neighborhoods Nexus Study to facilitate comparison between the two documents. Where this Report's methodology differs from that of the Eastern Neighborhoods, the methodology is described here in detail. Where the methodology is equivalent, this Report relies on the methodology descriptions found in the Eastern Neighborhoods Nexus Study.

An overview of the general nexus methodology can be found in the Section I of the Eastern Neighborhoods Nexus Study. For individual nexus component methodologies (Library, Transportation, Recreation and Parks, Child Care), refer to the relevant section in this Report or to that of the Eastern Neighborhoods Nexus Study.

II. Demographics Information

1. Data Sources

Demographic data for existing and projected new development provide the foundation for nexus studies. To determine the amount of the impact fees to be charged to new development, the City must first distinguish between existing development and projected new development. This Report covers demographic and employment data using a baseline year of 2008 and assumes projected development through 2030. The difference between the two years reflects the potential level of new development in need of new improvements or facilities.

Each component of the nexus study assumes the same time horizon and relies on the data and estimates presented in this section. All data regarding cost estimates has been adjusted for inflation to 2012 dollars.³

The data and analysis presented in this Report, building on that available in the Eastern Neighborhoods Nexus Study, has been gathered from the most reliable sources available to the City and its consultants. This information has been assembled for the sole purpose of establishing reasonable estimates for existing and new development in Western SoMa. However, actual development may vary from the estimates presented in this Report. Furthermore, the nexus amounts calculated here should not be construed as projected revenues, since the impact fees assessed may differ and the collection of impact fees will only be possible to the extent that new development resulting in fee revenue occurs.

1. Selected Land Use Alternative

The August 2008 Western SoMa Community Plan Transportation Study Preliminary Draft 2 (Transportation Study) considers two rezoning scenarios (a growth scenario based on the draft Western SoMa Community Plan, and a Greater Growth Alternative) in addition to a scenario in which no rezoning takes place. This Report uses the projections under the Plan scenario, which is the more conservative (less growth) of the two rezoning scenarios.

2. Existing Demographic and Employment Data

This Report uses a baseline year of 2008 for measuring population and employment growth, consistent with the Transportation Study. Data for Western SoMa, which are not available from U.S. Census or from the Association of Bay Area Governments (ABAG), are taken from the Transportation Study. Citywide data for 2008 is escalated using Planning Department data for 2005 and 2010, assuming a constant rate of growth between those years.

In 2008, Western SoMa had an estimated household population of 6,500 persons, approximately 1% of San Francisco's total household population. The area had 17,600 jobs, primarily in the Office or Industrial/PDR uses, which occupied an estimated 5 million square feet of space and accounted for approximately 3% of San Francisco's total jobs. Complete

³ All inflation adjustments are made using the using the Bureau of Labor Statistics Consumer Price Index inflation calculator.

population and employment data for both Western SoMa and San Francisco in 2008 is shown in Table 2.

3. Projected Growth

The projections in this nexus study assume a development horizon through 2030, consistent with the Transportation Study. There fore, new development is considered to be the projected growth between 2008 and 2030 in Western SoMa and in San Francisco. The data used in this report for 2008 and 2030 comes directly from the Transportation Study, from supporting data for that study, or from the Planning Department.

Western SoMa is projected to gain 2,900 housing units between 2008 and 2030, which will nearly double the number of housing units in the area. The projected household size for this new development is 1.94, which is equivalent to the projected household size in the Eastern Neighborhoods. This assumption is based on an identical 40% two-bedroom unit mix requirement for the two areas. This household size yields a projected household population⁴ of roughly 12,000 persons in 2030, including existing and new growth.

Western SoMa is projected to gain 5,700 jobs by 2030, the bulk of which is expected to be in the Office and Retail uses. Total net new non-residential development in Western SoMa is projected at 1.5 million square feet.

Complete population and employment projections for both Western SoMa and San Francisco for 2030 are shown in Table 2.

⁴ Household population includes only persons residing in households. It does not include persons residing in group quarters, such as those in the San Francisco county jail in Western SoMa.

Table 2.

Existing and Projected Population and Employment Information			
Western SoMa Community Plan Area			
Residential	Existing (2008)	New	Total (2030)
Housing Units	3,364	2,900	6,264
Households	3,177	2,784	5,960
Average Household Size ^a	2.06	1.94	2.00
Household Population ^b	6,531	5,401	11,932
Non-Residential			
Employment by Land Use	Existing (2008)	New	Total (2030)
Cultural/Institutional/Educational	1,808	148	1,956
Motel/Hotel	267	27	294
Medical	93	44	137
Office	6,485	2,463	8,948
Retail	2,695	2,265	4,960
Industrial/PDR	6,307	795	7,102
Total Employees	17,655	5,742	23,397
Non-Residential Square Footage^c			
Existing (2008)	New	Total (2030)	
Cultural/Institutional/Educational	406,800	33,300	440,100
Motel/Hotel	106,800	10,800	117,600
Medical	20,925	9,900	30,825
Office	1,459,125	554,175	2,013,300
Retail	808,500	679,500	1,488,000
Industrial/PDR	2,207,450	278,250	2,485,700
Total Square Footage	5,009,600	1,565,925	6,575,525
San Francisco			
Residential	Existing (2008)	New	Total (2030)
Housing Units	360,755	59,980	420,735
Household Population ^b	783,660	129,340	913,000
Non-Residential			
Employment by Land Use	Existing (2008)	New	Total (2030)
Cultural/Institutional/Educational	65,361	20,869	86,229
Motel/Hotel	15,911	5,159	21,070
Medical	50,109	15,899	66,008
Office	255,283	84,532	339,815
Retail	102,432	35,629	138,062
Industrial/PDR	73,378	23,537	96,916
Total Employees	562,474	185,626	748,100
Non-Residential Square Footage^c			
Existing (2008)	New	Total (2030)	
Cultural/Institutional/Educational	14,706,162	4,695,450	19,401,611
Motel/Hotel	6,364,488	2,063,697	8,428,185
Medical	11,274,446	3,577,351	14,851,797
Office	57,438,649	19,019,732	76,458,381
Retail	30,729,722	10,688,752	41,418,474
Industrial/PDR	25,682,343	8,238,103	33,920,446
Total Square Footage	146,195,809	48,283,085	194,478,895

^a Projected household size is assumed to be the same as that of the Eastern Neighborhoods, as the zoning requires the same 40% two-bedroom unit mix.

^b Household population includes only persons residing in households. It does not include persons residing in group quarters, such as those in the San Francisco county jail in Western SoMa.

^d Estimates based on square foot per employee figures used in the Eastern Neighborhoods Nexus Study.

Sources: SF Planning Department; Western SoMa Community Plan Transportation Study Preliminary Draft 2; San Francisco Eastern Neighborhoods Nexus Study; Eastern Neighborhoods Rezoning and Area Plans DEIR

II. Library Component

A. Summary of Library Nexus Amount

The proposed library nexus amount is \$0.14 per residential square foot. The nexus amount was not calculated for non-residential uses because the City does not intend to apply a library impact fee to non-residential uses.

B. Calculation of Library Nexus Amount

While the San Francisco Public Library (SFPL) does not indicate a need for future branch libraries, an increase in residential population adds to the need for library materials and improvements. Accordingly, the library nexus amount is based on SFPL's estimated cost per new resident and is only applicable to residential development.

Because this cost is calculated on a per-resident basis Citywide, it can be directly applied to Western SoMa after adjusting for inflation. This cost per new resident is multiplied by the projected Western SoMa persons per household to derive a cost per new housing unit. This cost is then converted into a cost per square foot of residential development.

The calculation of the library nexus amount is shown in Table 3. The methodology is described in detail in the Eastern Neighborhoods Nexus Study.

Table 3.

Library Materials and Renovation Nexus Amount	
Western SoMa Community Plan Area	
Factor	Result
Materials and Renovation Cost per New Resident ^a	\$81.25
Persons per Household	1.94
Nexus Amount per Housing Unit	\$157.63
Administrative Fee ^b	\$7.88
Total Nexus Amount per Housing Unit	\$165.51
Average Gross sqft per Housing Unit ^c	1,160
Library Nexus Amount per Residential sqft	\$0.14

^a Library department service cost per resident as outlined in the Eastern Neighborhoods Nexus Study, adjusted for inflation to 2012 dollars using the Bureau of Labor Statistics Consumer Price Index inflation calculator.

^b Administrative fee is calculated at 5% of costs to cover program administration.

^c Average housing unit size as estimated in the Eastern Neighborhoods Nexus Study.

Sources: San Francisco Planning Department; San Francisco Eastern Neighborhoods Nexus Study

III. Transportation Component

A. Summary of Transportation Nexus Amount

The transportation nexus amount, which was calculated for both residential and non-residential development, is summarized in Table 4. The total nexus amount is broken down into a transit nexus amount, which addresses transit capital improvements such as equipment, facilities, fleet, and infrastructure, and a streetscape nexus amount, which addresses capital streets and right of way improvements such as new street design, street improvements and street restructuring.

Table 4.

Transportation Nexus Amount Western SoMa Community Plan Area			
Land Use	Transit Nexus Amount per sqft	Streetscape Nexus Amount per sqft	Total Nexus Amount per sqft
Residential	\$14.46	\$1.80	\$16.26
Non-Residential			
Cultural/Institutional/Educational	\$94.80	\$11.77	\$106.57
Motel/Hotel	\$43.02	\$5.34	\$48.36
Medical	\$56.44	\$7.01	\$63.45
Office	\$35.72	\$4.44	\$40.15
Retail	\$394.67	\$49.02	\$443.69
Industrial/PDR	\$15.59	\$1.94	\$17.53

B. Calculation of Transportation Nexus Amount

The methodology for determining the Western SoMa transportation nexus amount is derived from that used in the Eastern Neighborhood Nexus Study, and is discussed in detail there. Although the values have been updated and adjusted to reflect conditions in Western SoMa, the basic methodology is equivalent.

In summary, the transportation nexus amount is based on the number of new trips generated by new residential and non-residential development in Western SoMa, as determined in the August 2008 Western SoMa Community Plan Transportation Study Preliminary Draft 2 (Transportation Study). New daily trips serves as a measure for how much a particular development contributes to the need for future improvements based on increased travel demand. These new trips were calculated as a percentage of total citywide trips, to determine the proportional transportation impact caused by new development in Western SoMa. This percentage was then applied to the cost of needed improvements to the City's transportation system, to develop an estimate of the transportation costs attributable to new development in Western SoMa. Finally, this amount was converted into a cost per trip and was multiplied by a standard daily trip rate for each land use (residential and non-residential) to arrive at a cost per square foot of development.

The calculations described above are shown in Tables 5, 6, and 7. Transportation capital costs are described in Appendix A.

Table 5.

Western SoMa and Citywide Daily Trips, 2030	
New W SoMa Neighborhood Daily Trips ^a	113,555
Total Citywide Daily Trips ^b	4,830,625
New W SoMa Trips % of Total Citywide Trips	2.35%

^a New daily person trips in Western SoMa attributable to development from 2008 to 2030.

^b Total Citywide daily person trips in 2030. This number differs from that used in the Eastern Neighborhoods Nexus Study because of updated modeling practices, which include accounting for the late-2000s recession. Sources: Eastern Neighborhoods Nexus Study; Western SoMa Community Plan Transportation Study Preliminary Draft 2; San Francisco County Transportation Authority

Table 6.

Projected Transportation Costs, 2012-2030			
	Transit Costs ^a	Streets and Right of Way Costs ^b	Total Transportation Costs
Unfunded Citywide Capital Costs ^c	\$9,078,542,000	\$1,127,631,000	\$10,206,173,000
Costs Attributable to Western SoMa Development ^d	\$213,412,102	\$26,507,572	\$239,919,674
New Western SoMa Cost per Trip	\$1,879	\$233	\$2,112.81
Program Administration ^e	\$94	\$12	\$106
Total Cost per Daily Western SoMa Trip	\$1,973	\$245	\$2,218

^a Based on the Municipal Transportation Agency's FY2008-2027 Draft Short Range Transit Plan. See Appendix-B for additional details.

^b Based on the City and County of San Francisco Draft Capital Plan FY2012-2021. See Appendix B for additional details.

^c All costs adjusted for inflation to 2012 dollars using the Bureau of Labor Statistics Consumer Price Index inflation calculator.

^d Based on proportional impact of Western SoMa development from 2008-2030 as shown in Table 5.

^e Administrative fee is calculated at 5% of costs.

Sources: Eastern Neighborhoods Nexus Study; San Francisco Municipal Transportation Agency; City and County of San Francisco Capital Planning Program

Table 7.

Transportation Nexus Amount			
Western SoMa Community Plan Area			
	Daily Trip Rate	Nexus Amount per Basis ^a	Nexus Amount per SqFt
Residential	8.50 per unit	\$18,857 per unit	\$16.26
Non-Residential			
Cultural/Institutional/Educational	48.04 per KSF	\$106,574 per KSF	\$106.57
Motel/Hotel	21.80 per KSF	\$48,362 per KSF	\$48.36
Medical	28.60 per KSF	\$63,448 per KSF	\$63.45
Office	18.10 per KSF	\$40,154 per KSF	\$40.15
Retail	200.00 per KSF	\$443,689 per KSF	\$443.69
Industrial/PDR	7.90 per KSF	\$17,526 per KSF	\$17.53

^a Nexus amount is determined per residential unit and per 1,000 sqft of non-residential floor area.

^b Residential nexus amount per unit is divided by the projected average unit size of 1,160 sqft to reach the nexus amount per square foot.

Sources: Eastern Neighborhoods Nexus Study;

IV. Recreation and Parks Component

A. Summary of Recreation and Parks Nexus Amount

The recreation and parks nexus amount, which was calculated for both residential and non-residential development, is summarized in Table 8 below.

Table 8.

Recreation and Parks Nexus Amount Western SoMa Community Plan Area	
Land Use	Nexus amount per sqft
Residential	\$9.54
Non-Residential	\$0.00
Cultural/Institutional/Educational	\$2.53
Motel/Hotel	\$1.42
Medical	\$2.53
Office	\$2.53
Retail	\$1.90
Industrial/PDR	\$1.63

B. Calculation of Recreation and Parks Nexus Amount

1. Need Factor

The need factor for the Western SoMa recreation and parks nexus is based on that used in the Eastern Neighborhoods Nexus Study, and is discussed in detail there. The need factor determination employs both Citywide standards and, where appropriate, specific facilities based on the needs of the area.

Due to the difficulty of acquiring new land for park development, the City proposes to meet park needs through a combination of new parkland and facilities, and improvements to existing recreational facilities to enable increased utilization. The Eastern Neighborhoods Nexus Study assumes the acquisition of one new one-acre park and the renovation of one existing one-acre park in each of the four neighborhoods.

Because there is only one .23 acre park within Western SoMa, this Report examines existing facilities within 500' of the Plan area in addition to those within the Western SoMa boundaries. This expanded area includes one additional park and a recreation center. These facilities will serve Western SoMa residents and workers due to their proximity to the Plan area, and as such, are included as facilities that could be renovated to meet the future needs of the neighborhood. Thus, this Report utilizes the same need factor for Western SoMa as was identified in the Eastern Neighborhoods nexus study (a new one-acre park and the renovation of an existing one-acre park).

2. Calculation of Nexus Amount

The basic methodology for determining the Western SoMa recreation and parks nexus amount is derived from that used in the Eastern Neighborhood Nexus Study, which in turn relies on the 2007 Recreation and Parks Development Impact Fee Justification Study.

The recreation and parks nexus amount was calculated by determining the cost to provide the facilities identified as needs (see table 9). Cost Estimates are taken from the Eastern Neighborhoods Study, with the exception of the Open Space and Facilities Improvements Cost, which has been updated to reflect more recent Recreation and Parks Department project costs.

These costs were then allocated to new park users in Western SoMa, using a different usage factor for residents and employees (see Appendix B) to arrive at a cost per new user. These per-user costs were then converted to costs per square foot of new development (tables 10 and 11). For a detailed discussion of costs and allocation of park users, please refer to the Eastern Neighborhoods Nexus Study.

Table 9.

Recreation and Parks Needs and Costs Western SoMa Community Plan Area						
	Need Factor ^a	New Population (2008-2030)	Growth in Need	Facilities Cost per unit	Total Acquisition and Improvements Costs	Cost per new park user ^b
Land Acquisition and Improvement ^c	1.0 acre	n/a	1.0 acre	\$19,131,680	\$19,131,680	\$3,618
Subtotal Acquisitions						
Recreational Facilities Improvements ^c						
Multi-Use Fields	2.25 fields per 1,000 residents	5,401	1.22 fields	\$1,638,462	\$1,991,085	
Tennis	2.0 courts	5,401	1.08 courts	\$216,299	\$233,644	
Outdoor Basketball	2.0 courts	5,401	1.08 courts	\$135,727	\$146,611	
Open Space and Facilities Improvements ^d	1.0 acre	n/a	1.0 acre	\$12,172,724	\$12,172,724	
Subtotal Improvements					\$14,544,064	\$2,751
Total Land and Improvements					\$33,675,744	\$6,369

^a Based on need factors outlined in the San Francisco Eastern Neighborhoods Nexus Study.

^b Cost per park user is determined by dividing the total acquisition and improvements costs by the projected number of new park users, the calculation for which can be found in Appendix B.

^c Recreation and Parks facilities costs are detailed in the Eastern Neighborhoods Nexus Study, adjusted for inflation to 2012 dollars using the Bureau of Labor Statistics Consumer Price Index inflation calculator.

^d Open space and facilities improvements cost based on the average cost of three recent Recreation and Parks Department improvement projects.

Sources: San Francisco Eastern Neighborhoods Nexus Study; San Francisco Recreation and Parks Department; Western SoMa Community Plan Transportation Study Preliminary Draft 2; San Francisco Planning Department

Table 10.

Land and Improvements Costs by Land Use Category Western SoMa Community Plan Area					
	Number of new units or non-residential sqft (2008-2030)	New park users per unit or 1,000 non-residential sqft ^a	Land cost per unit or 1,000 Non-Residential sqft ^b	Improvements cost per unit or 1,000 non-residential sqft ^c	
Residential	2,900	1.65	\$5,987	\$4,552	
Non-Residential					
Cultural/Institutional/Educational	33,300	0.38	\$1,369	\$1,041	
Motel/Hotel	10,800	0.21	\$770	\$585	
Medical	9,900	0.38	\$1,369	\$1,041	
Office	554,175	0.38	\$1,369	\$1,041	
Retail	679,500	0.28	\$1,027	\$780	
Industrial/PDR	278,250	0.24	\$880	\$669	

^a The number of new park users is calculated in Appendix B.

^b The number of new park users per unit or per 1,000 non-residential sqft is multiplied by the land cost per park user as calculated in Table 9.

^c The number of new park users per unit or per 1,000 non-residential sqft is multiplied by the improvement cost per park user as calculated in Table 9.

Sources: San Francisco Eastern Neighborhoods Nexus Study; Western SoMa Community Plan Transportation Study Preliminary Draft 2; San Francisco Planning Department

Table 11

Recreation and Parks Nexus Amount Western SoMa Community Plan Area				
Land Use	Land Cost per gross sqft	Improvements cost per gross sqft	Program Administration ^b	Nexus Amount per gross sqft
Residential ^p	\$5.16	\$3.92	\$0.45	\$9.54
Non-Residential				
Cultural/Institutional/Educational	\$1.37	\$1.04	\$0.12	\$2.53
Motel/Hotel	\$0.77	\$0.59	\$0.07	\$1.42
Medical	\$1.37	\$1.04	\$0.12	\$2.53
Office	\$1.37	\$1.04	\$0.12	\$2.53
Retail	\$1.03	\$0.78	\$0.09	\$1.90
Industrial/PDR	\$0.88	\$0.67	\$0.08	\$1.63

^a Administrative fee is calculated at 5% of costs.

^b Based on projected average unit size of 1,160 sqft, assuming 80% building efficiency.

Sources: San Francisco Eastern Neighborhoods Nexus Study; San Francisco Planning Department.

V. Child Care Component

A. Summary of Child Care Nexus Amount

The child care nexus amount, which was calculated for both residential and non-residential development, is summarized in Table 12 below.

Table 12.

Child Care Nexus Amount Western SoMa Community Plan Area	
Land Use	Nexus Amount per sqft^a
Residential	\$1.50
Non-Residential	
Cultural/Institutional/Educational	\$1.41
Motel/Hotel	\$0.79
Medical	\$1.41
Office	\$1.41
Retail	\$1.06
Industrial/PDR	\$0.91

^a Child care nexus amount as outlined in the Eastern Neighborhoods Nexus Study, adjusted for inflation to 2012 dollars using the Bureau of Labor Statistics Consumer Price Index inflation calculator.

Sources: Child Care Nexus Study for City of San Francisco; Eastern Neighborhoods Nexus Study

B. Calculation of Child Care Nexus Amount

The basic methodology for determining the Western SoMa child care nexus amount is derived from that used in the Eastern Neighborhood Nexus Study, which in turn is based on the 2007 Citywide Child Care Nexus Study. The Citywide Child Care Nexus Study assessed a relative need for child care services by different residential and non-residential land uses. The nexus amount was calculated by determining the average cost per child care space, allocating that cost to new households and employees, and then converting those per-user costs to costs per square foot. Because this is a Citywide nexus amount, it is applied directly to Western SoMa after adjusting for inflation.

A detailed discussion of the methodology can be found in the Eastern Neighborhoods Nexus Study.

Appendix A: Transportation Capital Costs

Citywide Streets and Right of Way Capital Costs, 2012-2030			
Program/Project	Total Unfunded Costs, 2012-2021	Average Annual Unfunded Costs	Total projected unfunded costs, 2012-2030
Street Resurfacing	\$25,229,000	\$2,522,900	\$47,935,100
Street Structures	\$35,258,000	\$3,525,800	\$66,990,200
Street Trees	\$17,713,000	\$1,771,300	\$33,654,700
Irrigation Repairs and Upgrades	\$19,520,000	\$1,952,000	\$37,088,000
Great Streets Program	\$494,109,000	\$49,410,900	\$938,807,100
Plaza Inspection and Repair	\$1,661,000	\$166,100	\$3,155,900
Total	\$591,829,000	\$59,349,000	\$1,127,631,000

Source: City and County of San Francisco Draft Capital Plan FY2012-2021

Citywide Transit Capital Costs, 2012-2030				
Capital Program Category	Total Unfunded Costs, 2008-2027	Adjustment to 2012^a	Average Annual Unfunded Costs	Total Projected Unfunded Costs, 2012-2030
Equipment	-\$236,821,000	-\$250,416,000	-\$12,520,800	-\$237,895,200
Facilities	\$217,795,000	\$230,298,000	\$11,514,900	\$218,783,100
Fleet	\$788,591,000	\$833,862,000	\$41,693,100	\$792,168,900
Infrastructure	\$8,267,973,000	\$8,742,616,000	\$437,130,800	\$8,305,485,200
Total	\$9,037,538,000	\$9,556,360,000	\$477,818,000	\$9,078,542,000

^a All costs adjusted for inflation to 2012 dollars using the Bureau of Labor Statistics Consumer Price Index inflation calculator.
Source: Municipal Transportation Agency's FY2008-2027 Draft Short Range Transit Plan

Appendix B: Recreation and Parks Users

Park Users by Land Use Category					
Western SoMa Community Plan Area					
Land Use Category	Total new residents or employees (2008-2030)	Number of employees residing within City^a	Number of employees not residing within City^b	Park usage adjustment^c	New residential and non-residential park users (2008-2030)^d
Residential	5,401	3,170	n/a	2,567	4,799
Non-Residential					
Cultural/Institutional/Educational	148	82	66	13	13
Motel/Hotel	27	15	12	2	2
Medical	44	24	20	4	4
Office	2,463	1,360	1,103	210	210
Retail	2,265	1,250	1,015	193	193
Industrial/PDR	795	439	356	68	68
Total					5,287

^a Residence factors derived from the Eastern Neighborhoods Nexus Study. The total of these resident employees is shown in the Residential land use category.

^b Total new employees minus the number of employees residing within the City.

^c Usage factors derived from the Eastern Neighborhoods Nexus Study.

^d Residential park users include total new residents minus employees residing within the City plus the residential park usage adjustment. Non-residential park users equals the non-residential park usage adjustment.

Sources: San Francisco Eastern Neighborhoods Nexus Study; Western SoMa Community Plan Transportation Study Preliminary Draft 2; San Francisco Planning Department

West SoMa Zoning Guide

DECEMBER 2012

Permitted Land Uses

	WMUG	WMUO	SALI	F-NCT	RCD	RED	RED-M
RESIDENTIAL USE							
Dwelling Units	P	NP	NP	P	P	P	P
Single Resident Occupancy (SRO) units	P	NP	NP	P above ground floor	P above ground floor	NP	NP
Market Rate Housing in Landmark (Article 10) Buildings	P	NP	NP	C on ground floor; P above	C on ground floor; P above	P	P
Unit Mix ⁽¹⁾	40% 2 BR required; 10% 3 bdr encouraged	N/A	N/A	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged	40% 2 bdr required; 10% 3 bdr encouraged
INSTITUTIONS							
Educational	C	C	NP	NP	NP	NP	C
Hospital, Medical Centers	NP	NP	NP	NP	NP	NP	NP
Religious Facility	C	P	C	NP	NP	NP	C
Child Care	P	P	C	P	P for 12 or less children; C for above	NP	P
RETAIL							
General Retail	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Hotel	NP	P up to 75 rooms	NP	P up to 25 rooms	NP	NP	NP
Formula Retail	C up to 10,000 sf per parcel; NP above	C up to 25,000 sf per parcel	C up to 25,000 sf per parcel	C	C	NP	NP
Restaurant	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf	P up to 10,000 sf per parcel; NP above	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Limited Restaurant	P up to 10,000 sf per parcel; NP above	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel	P up to 10,000 sf per parcel; C up to 25,000 sf per parcel; NP above	P up to 10,000 sf	P up to 10,000 sf per parcel; NP above	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Bars	P up to 10,000 sf per parcel; NP above	P	P	P on ground floor only	NP	NP	NP
Liquor Store	C	C	C	C	C	NP	NP
Adult Entertainment	NP	NP	NP	NP	NP	NP	NP
Massage Establishment	C	C	C	C	C	NP	NP
Auto Sales	NP	NP	NP	NP	NP	NP	NP
Movie Theater (up to 3 screens)	NP	P	P	NP	NP	NP	NP
ARTS AND ENTERTAINMENT							
Arts Activities other than Theaters	P	P	P	P	P	C	P up to 1 FAR sf per parcel; C above; Max of 1.5 FAR
Nighttime Entertainment	NP	P subject to Residential Buffers	P subject to Residential Buffers	NP	NP	NP	NP
Limited Live Performance (Accessory Use Only)	NP	P	P	P	NP	NP	NP
Theater	P	P	P	P on ground floor; C on second floor	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
OFFICE							
Office	NP	P	NP	P on either first or second floor, but not both	P on either first or second floor, but not both	NP	NP
Office in a Landmark (Article 10) Bldg	P	P	NP	P	P	C	C
Live/Work Units	NP	NP	NP	NP	NP	NP	NP
INDUSTRIAL / PDR ⁽²⁾							
Wholesale Sales	P	P	P	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Light Manufacturing	P	P	P	P	P	NP	P up to 1,250 sf per parcel; C above; Max of 1 FAR
Motor Vehicle Repair	P with no ingress/egress from alleys	P with no ingress/egress from alleys	P with no ingress/egress from alleys	C with no ingress/egress from alleys	C with no ingress/egress from alleys	NP	P up to 1,250 sf per parcel; C up to 1 FAR
Self-storage	NP	NP	NP	NP	NP	NP	NP
Storage and Distribution	C	C	P	P	P	NP	P up to 1,250 sf per parcel; C up to 1 FAR
Parking lots	C	C	C	NP	C	NP	C
Parking Garages	C; must meet siting guidelines and shared vehicle facilities	C; must meet siting guidelines and shared vehicle facilities	C; must meet siting guidelines and shared vehicle facilities	NP	C; must meet siting guidelines and shared vehicle facilities	NP	C; must meet siting guidelines and shared vehicle facilities

Standards for Development

	WMUG	WMUO	SALI	F-NCT	RCD	RED	RED-M
Development on Lots over a Certain Size	No restrictions	No restrictions	No restrictions	C on lots over 10,000 sf	C on lots over 10,000 sf	No restrictions	No restrictions
Dwelling Unit Density Limit	None, see unit mix above	N/A	N/A	None, see unit mix above	None, see unit mix above	None, see unit mix above	None, see unit mix above
Residential to Nonresidential Ratio	None	None	None	None	None	None	None
Floor Area Ratio for Non-Residential Uses (See Sec. 124)	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	3.0 to 1 in 40 to 48 ft ht districts. 4.0 to 1 in 50 to 58 ft ht districts. 5.0 to 1 in 65 to 68 ft ht districts. 6.0 to 1 in 85 ft ht district. 7.5 to 1 in ht districts above 85 ft.	2.5 to 1	2.5 to 1	1.0 to 1	1.0 to 1
Usable Open Space per Dwelling Unit	80 sf private or common	80 sf private or common	80 sf private or common	80 sf if private or 106 sf if common	80 sf if private or 106 sf if common	80 sf private or common	80 sf private or common
Open space for Nonresidential Uses	Required; amount varies based on use; may also pay in-lieu fee	Required; amount varies based on use; may also pay in-lieu fee	Required; amount varies based on use; may also pay in-lieu fee	N/A	N/A	N/A	N/A
Residential Off-street parking	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each four dwelling units; up to 0.75 cars for each dwelling unit; up to one car for each 2BR dwelling unit > 1,000sf; NP above 0.75 cars for each dwelling unit.	P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit; NP above 0.75 cars for each dwelling unit.	P up to one car for each two dwelling units; up to 0.75 cars for each dwelling unit; NP above 0.75 cars for each dwelling unit.	P up to three cars for each four dwelling units; C up to one car for each dwelling unit; NP above one car for each dwelling unit.	P up to three cars for each four dwelling units; C up to one car for each dwelling unit; NP above one car for each dwelling unit.
Non Residential Off-street accessory parking	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).	None required. Amount permitted varies by use (See Section 151.1).
Demolition/Subdivision of Units	C	C	C	C	C	C	C
Residential Conversion	C	C	C	C	C	NP	C
Drive-Up/Drive Through	NP	NP	NP	NP	NP	NP	NP

P=Permitted, C=Conditional, NP=Not Permitted, NA=Not Applicable

(1) Applies to 5 or more units; not required for senior, disabled or group housing.

(2) This is a representative sample of use controls for PDR districts; actual zoning language will be more comprehensive.

All Public Correspondence
and
Hearing Materials

received for the

Western SoMa Community
Area Plan

(File Nos. 130001, 130002, 130003, and 130004)

can be found in

File No. 130001

(General Plan Amendment)

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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Tel. No. 554-5184
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NOTICE OF PUBLIC HEARING

LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, February 25, 2013
- Time:** 1:30 p.m.
- Location:** Committee Room 263, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** File No. 130002. Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

If the legislation passes, the Western South of Market (SoMa) Plan Area would be included in the Eastern Neighborhoods Impact Fee and Public Benefits Fund Area. Project sponsors within the Western SoMa Plan Area would be charged a development impact fee based on accepted professional methods of calculation described fully in the Western SoMa Nexus Study, which can be found in Planning Department Case File No. 2008.0877 or Board of Supervisors File No. 130002. The project sponsor may propose to the City an In-Kind Improvements Agreement to directly provide community improvements, terms approved by the Planning Commission, in-lieu of the impact fee. All monies will be deposited into the Eastern Neighborhoods Public Benefits Fund.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013.

A handwritten signature in cursive script that reads "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED: February 7, 2013
POSTED: February 8, 2013
PUBLISHED: February 11 & 18, 2013



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Legal GOVERNMENT - GOVT PUBLIC NOTICE

Order Information

Attention Name Alisa Miller

Billing Reference No.

Ad Description AM - 2/25/13 Land Use - 130002 Fee Ad

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2443701	SAN FRANCISCO CHRONICLE-CITY&CO. 10%, CA Billed To: S.F. BD OF SUPERVISORS (OFFICIAL NOTICES) Created For: S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)	02/11/2013, 02/18/2013	Depth : 6.00" Lines : 73	\$ No Pricing Formula for 2175		Sent

Order No.	Newspaper	View
2443701	SAN FRANCISCO CHRONICLE-CITY&CO. 10%	View Ad In PDF

**NOTICE OF PUBLIC HEARING
LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE
SAN FRANCISCO BOARD OF SUPERVISORS
MONDAY, FEBRUARY 25, 2013 - 1:30 PM
COMMITTEE ROOM 263, CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA**

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **File No. 130002.** Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

If the legislation passes, the Western South of Market Plan (SoMa) Area would be included in the Eastern Neighborhoods Impact Fee and Public Benefits Fund

Area. Project sponsors within the Western SoMa Plan Area would be charged a development impact fee based on accepted professional methods of calculation described fully in the Western SoMa Nexus Study, which can be found in Planning Department Case File No. 2008.0877 or Board of Supervisors File No. 130002. The project sponsor may propose to the City an In-Kind Improvements Agreement to directly provide community improvements, terms approved by the Planning Commission, in-lieu of the impact fee. All monies will be deposited into the Eastern Neighborhoods Public Benefits Fund.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013.
Angela Calvillo, Clerk of the Board

Miller, Alisa

From: glenda_sobrique@dailyjournal.com
Sent: Thursday, February 07, 2013 11:09 AM
To: Miller, Alisa
Subject: Confirmation of Order 2443701 for AM - 2/25/13 Land Use - 130002 Fee Ad

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 120503
Type of Notice : GPN - GOVT PUBLIC NOTICE
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Our Order Number : 2443701
Newspaper : SAN FRANCISCO CHRONICLE-CITY&CO. 10%
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Alisa Miller
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1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

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Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AM - 2/25/13 Land Use - 130002 Fee Ad

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO CHRONICLE. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the Clerk of the Board. Publication date(s) for this notice is (are):

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CNS 2443701

NOTICE OF PUBLIC HEARING LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS MONDAY, FEBRUARY 25, 2013 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 130002, Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. If the legislation passes, the Western South of Market Plan (SoMa) Area would be included in the Eastern Neighborhoods Impact Fee and Public Benefits Fund Area. Project sponsors within the Western SoMa Plan Area would be charged a development impact fee based on accepted professional methods of calculation described fully in the Western SoMa Nexus Study, which can be found in Planning Department Case File No. 2008.0877 or Board of Supervisors File No. 130002. The project sponsor may propose to the City an In-Kind Improvements Agreement to directly provide community improvements, terms approved by the Planning Commission, in-lieu of the impact fee. All monies will be deposited into the Eastern Neighborhoods Public Benefits Fund. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013. Angela Calvillo, Clerk of the Board



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE & ECONOMIC DEVELOPMENT COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, February 25, 2013

Time: Meeting - 10:00 a.m.
Special Order - 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Western South of Market (SoMa) Area Plan

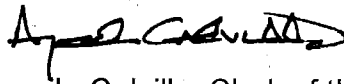
File No. 130001. Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

File No. 130002. Ordinance amending the Planning Code, by adding and amending various sections to implement the goals, objectives, and policies of the Western South of Market Area Plan, bounded generally by 7th Street, Mission Street, Division Street, and Bryant Street on the western portion of the plan area, and 7th Street, Harrison Street, 4th Street, and Townsend Street on the eastern portion of the plan area; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

File No. 130003. Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

File No. 130004. Ordinance amending the Administrative Code, Section 10E.2, to integrate the Western South of Market (SoMa) Area Plan into the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Western SoMa Area Plan and inclusion of the Western SoMa Area Plan into the Eastern Neighborhoods reporting requirement, Eastern Neighborhoods capital expenditures plan, and the Eastern Neighborhoods Citizens Advisory Committee; and making environmental findings.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013.



Angela Calvillo, Clerk of the Board

DATED: February 8, 2013

PUBLISHED/MAILED/POSTED: February 15, 2013



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Attention Name Alisa Miller

Billing Reference No.

Ad Description AM - 2/25/13 Land Use, Western SoMa

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NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
LAND USE & ECONOMIC DEVELOPMENT COMMITTEE
MONDAY, FEBRUARY 25, 2013 - 1:30 PM
COMMITTEE ROOM 263, CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard: **Western South of Market (SoMa) Area Plan - File No. 130001.** Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. **File No. 130002.**

Ordinance amending the Planning Code, implementing the Western South of Market Area Plan. **File No. 130003.** Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1. **File No. 130004.** Ordinance amending the Administrative Code, adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013.
Angela Calvillo, Clerk of the Board.

Miller, Alisa

From: glenda_sobrique@dailyjournal.com
Sent: Friday, February 08, 2013 3:44 PM
To: Miller, Alisa
Subject: Confirmation of Order 2444629 for AM - 2/25/13 Land Use, Western SoMa

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Alisa Miller
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SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AM - 2/25/13 Land Use, Western SoMa

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CNS 2444629

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE & ECONOMIC DEVELOPMENT COMMITTEE MONDAY, FEBRUARY 25, 2013 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard: Western South of Market (SoMa) Area Plan - File No. 130001. Ordinance amending the General Plan, by adding the Western South of Market (SoMa) Area Plan, generally bounded on its western portion by 7th Street, Mission Street, Division Street, and Bryant Street, and on its eastern portion by 7th Street, Harrison Street, 4th Street, and Townsend Street; making conforming amendments to the Housing, Commerce and Industry, and Recreation and Open Space Elements, the Land Use Index, and the SoMa, East SoMa, Mission, Showplace Square/Potrero, and Central Waterfront Area Plans; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 01.1. File No. 130002. Ordinance amending the Planning Code, implementing the Western South of Market Area Plan. File No. 130003. Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 for revised use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 01.1. File No. 130004. Ordinance amending the Administrative Code, adding Western South of Market Area Plan to Eastern Neighborhoods Area Plan Monitoring Program. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 22, 2013.

Angela Calvillo, Clerk of the Board



* A 0 0 0 0 0 2 9 7 3 4 3 2 *

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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PROOF OF MAILING

Legislative File Nos. 130001, 130002, 130003, and 130004

Description of Items:

Western South of Market Area Plan: Legislation Package

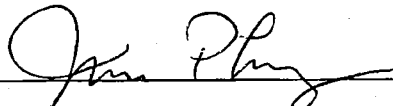
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SAN FRANCISCO PLANNING DEPARTMENT

File No. 130002
2/25/13 Received in
Committee

DATE: February 25, 2013
TO: Land Use and Economic Development Committee
FROM: Corey Teague, Planning Department
RE: Western SoMa Community Plan Adoption
Proposed Amendments

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Supervisor Kim's office worked with the Planning Department to review the draft ordinances related to the Western SoMa Community Plan after adoption by the Planning Commission on December 6, 2013. That ongoing review uncovered various technical corrections to section numbers, district references, erroneous controls, and other minor issues, which are listed in detail below. Also listed below are three proposed amendments to the Planning Code and Zoning Map Ordinances (highlighted with asterisk below) that are not technical in nature, but also are not substantive changes beyond the scope of what was discussed by the Planning Commission.

2008.0877T Planning Code Amendments

- **Ordinance Section 2** – add Sections 175.5 (grandfathering) and 235 (SUDs).
- **Section 134(a)(1)(C) and (E)** – remove RED from (C) and represent (E) as a code addition.
- **Add Section 235** – reference Section 823 for the WSoMa SUD.
- **Section 423.5(c)(3)** – add WSoMa Case No.
- **Section 743** – amend Folsom St NCT table to:
 - remove the “Non-” from “Non-Retail Sales and Services” heading following 743.39
 - remove line for “Business or Professional Service” (743.53)
 - *add lines under “Institutions and Non-Retail Sales and Services” for Elementary School, Secondary School, and Postsecondary School as 743.82d, e, and f

- change “Landmark” to “Historic” in 743.86A
- **Section 744** – amend RCD table to:
 - remove the “Non-” from “Non-Retail Sales and Services” heading following 744.39
 - remove line for “Business or Professional Service” (744.53)
 - *add lines under “Institutions and Non-Retail Sales and Services” for Elementary School, Secondary School, and Postsecondary School as 743.82d, e, and f
 - change “Landmark” to “Historic” in 743.86A
- **Section 803.9(b)(2) and (3)** – add references to RED, RED-MX, and WMUG.
- **Section 813.32** – change “Landmark” to “Historic” in 813.32 and 813.48.
- **Section 823(c)** – *remove Educational Services control (subsection 10) and renumber following subsections.
- **Section 844** – amend WMUG table to:
 - remove line for “Educational Services” (844.32)
 - *add lines under “Institutions” for Elementary School, Secondary School, and Postsecondary School as 844.32a, b, and c
 - change “Landmark” to “Historic” in 844.65
- **Section 845** – amend WMUO table to:
 - change “Landmark, etc.” to “Historic” in 845.65
- **Section 846** – amend SALI table to:
 - Update ingress/egress controls
 - change “Landmark” to “Historic” in 844.65
- **Section 847** – amend RED-MX table to:
 - change “Landmark” to “Historic” in 847.32 and 847.48

2008.0877U Administrative Code Amendments

- **Section 10E.2(a)(3)– Remove references to a Western SoMa Needs Assessment – WSoMa used the existing Eastern Neighborhoods Needs Assessment.**
- **Section 10E.2(b)(4)– Remove references to file number for WSoMa implementation matrix.**
- **Section 10E.2(e)(2)(F)– Remove references to non-voting members.**

2008.0877Z Zoning Map Amendments

- ***Change all “B” Bulk designations to “X.”**
- **Correct the properties along 11th Street that were proposed for WMUO by the Planning Commission to account for condominiums and recent lot mergers.**
- ***Change most properties proposed for RED/40-X zoning that also front major streets to RED-MX/45-X. The lone exception is the property at 245 11th Street (Block 3517, Lot 016), which is proposed as WMUG/55-X.**

AMENDMENT OFFER BY SUPERVISOR WIENER
Land Use Committee 2/25/2013

1 b. **Hours of operation.** Hours of operation for commercial
2 uses within the project shall consider their proximity and potential impacts to residential uses within
3 the project and near the development site.

4 c. **Site access.** Avoid loading and vehicular entries near
5 pedestrian entries, open space, and high traffic areas, and locations that would disturb other users on
6 the site.

7 d. **Environmental conflicts.** Commercial uses that create
8 noise, fumes, and light shall be designed to minimize any impacts on sensitive users of the site.
9 Buildings shall be designed to minimize the impact of wind and shadows on open spaces on the
10 development site and adjacent properties.

11 e. **Architectural design.** Locate fenestration, decks, doors,
12 and open spaces to minimize potential on-site conflicts between uses and users (e.g. residential and
13 commercial uses).

14 (v) Projects on development sites of 3 acres or greater are permitted to
15 contain up to 24,999 gross square feet of office use, and up to 24,999 gross square feet of retail use,
16 regardless of the controls of the underlying zoning district.

17 (vi) Projects on development sites greater than .5 acre, but less than 3
18 acres, shall be subject to the Tier ~~B-A~~ affordable housing requirements of Section 419.3(b)(2) of this
19 Code. ~~The residential portions of such projects shall also be subject to the Tier 1 Eastern~~
20 ~~Neighborhood infrastructure impact fees, regardless of the Tier level of the subject property.~~

21 **SEC. 844. WMUG— WSoMA MIXED USE – GENERAL DISTRICT**

22 The WSoMa Mixed Use-General (WMUG) District is largely comprised of the low-scale,
23 production, distribution, and repair uses mixed with housing and small-scale retail. The WMUG is
24 designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale
25 distribution, arts production and performance/exhibition activities, general commercial and

Proposed additional changes shown in bold lower-case underlined text

6 **SEC. 121.7. RESTRICTION OF LOT MERGERS IN RESIDENTIAL CERTAIN DISTRICTS**
7 **AND ON PEDESTRIAN-ORIENTED STREETS.**

8 In order to promote, protect, and maintain a fine-grain scale of development in
9 residential districts and on important pedestrian-oriented commercial streets which is
10 appropriate to each district, compatible with adjacent buildings; provide for a diverse
11 streetscape; ensure the maintenance and creation of multiple unique buildings and building
12 frontages rather than large single structures superficially treated; promote diversity and
13 multiplicity of land ownership and discourage consolidation of property under single
14 ownership, merger of lots *in RTO and NCT Districts* are regulated as follows:

15 (b) In those NCT, ~~and~~ NC and Mixed Use Districts listed below, merger of lots resulting
16 in a lot with **a single** street frontage greater than that stated in the table below on the
17 specified streets or in the specified Districts is prohibited except according to the procedures
18 and criteria in subsections (c) and (d) below.

Street or District	Lot Frontage Limit
Hayes, from Franklin to Laguna	50 feet
<u>RED and RED-MX</u>	<u>50 feet</u>
Church Street, from Duboce to 16th Street	100 <u>feet</u>
<u>Folsom Street NCT, RCD, WMUG, WMUO, and SALI</u>	<u>100 feet</u>
Market, from Octavia to Noe	150 <u>feet</u>

24 Notwithstanding the foregoing, merger of lots in the WMUO zoning district resulting in a
25 lot with a street frontage up to 200 feet along Townsend Street is permitted so long as a publicly-
26 accessible through-block pedestrian alley at least 20 feet in width and generally conforming to the
27 design standards of Section 270.2(e)(5)-(12) of this Code is provided as a result of such merger.

Exhibit IV-4 Planning Code Amendments Summary Table

Planning Code Section	Topic Addressed	Amendment Description
121.1	Lot size limits	Folsom NCT was made to match the adjacent SoMa NCT. RCD limit was set at 10,000sf due to existing large lots in the District.
121.2	Use size limits	Set principally permitted use size limits at 4,000sf for the Folsom NCT (larger permitted with conditional use authorization) and 10,000sf for the RCD (permitted with conditional use authorization up to 25,000sf).
121.7	Lot mergers and street frontage limits	Restricted lot mergers to those resulting in street frontage of no more than 100 feet in WMUG, WMUO, Folsom NCT, and RCD, and to no more than 50 feet in RED and RED-MX.
124	Floor area ratios	Set Floor Area Ratio limits for newly created districts.
134	Rear yards	Set rear yard requirement for WMUG, RED, and RED-MX at 25 percent of lot depth, with a minimum of 15 feet, which must be provided at grade. Rear yards in RCD and Folsom NCT set at 25 percent at the second floor and above.
135	Residential open space	Set new Eastern Neighborhood mixed use districts to match the open space requirements of existing districts, except that the reduction for publicly accessible open space. Set open space controls for Folsom NCT and RCT to match SoMa NCT.
141	Rooftop screening	Added references to new districts.
145.1	Ground floor ceiling heights and street frontage requirements	Set minimum ground floor ceiling heights for non-residential uses at 14 feet in the WMUG, WMUO, and RED-MX districts. Set a maximum of one 10-foot garage door per lot in the RED district.
151.1	Off-street parking	Set parking maximums for WMUG, WMUO, RED, RED-MX, and SALI to match MUG and MUO. Set parking maximums in Folsom NCT and RCD to match SoMa NCT.
155(d)(g)(r)	Loading spaces, parking fee rate structure, and prohibited curb cuts	Prohibit curb cuts onto alleys from corner lots in SALI when the alley also contains RED or RED-MX zoning on the interior of the block.
163	Transportation Management	Require transportation management program for office projects greater than 25,000 gross square feet in the WMUO.
175.5	Grandfathering provision	Create a grandfathering provision for residential projects in the WMUO district that applied prior to August 2008.
182	Nonconforming uses	Remove an unnecessary reference to RED.
201	Use districts	Add new districts created by the WSoMa Community Plan and remove RED from the "R" district classification.
204.4	Accessory dwelling units	Permit accessory dwelling units in artist workspaces in WMUG.

Exhibit IV-4 Planning Code Amendment Summary Table

Planning Code Section	Topic Addressed	Amendment Description
207.4	Dwelling unit densities in Neighborhood Commercial districts	Set Folsom NCT and RCD to not be limited by lot area, but by the applicable requirements and limitations elsewhere in this Code, including but not limited to height, bulk, setbacks, open space, exposure, and unit mix, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.
207.5	RED dwelling unit density	Remove RED from this Section.
207.6	Dwelling unit mix	Added the RCD as a district where a minimum dwelling unit mix applies.
208	Group housing density	Set group housing density in new Eastern Neighborhood mixed use and Neighborhood Commercial districts to match existing districts.
235	Special Use Districts	Add a reference to Section 823 for the Western SoMa Special Use District.
261.2	Folsom Street NCT setback	Require a 15-foot setback for any portion of a building above 55 feet and fronting on Folsom Street in the Folsom Street NCT.
263.28	Increased heights in SALI	Establish split-height districts in the SALI of 40-55 feet. Projects requesting heights above 40 feet must dedicate at least one floor to arts activities.
263.29	Height bonus for major developments	Establish various split-height districts. Projects requesting heights above their base height are subject to the criteria provided in the Western SoMa Special Use District in Section 823.
270.2	Mid-Block alleys	Require projects in new Eastern Neighborhood districts with significant frontage to provide a mid-block alley of at least 30 feet wide to connect primary streets with interior alleys whenever possible.
316	Conditional uses	Add a reference to a new trigger for conditional use authorization in the Western SoMa Special Use District for projects seeking heights above their base height.
329	Large project authorization	Add a reference to a trigger requiring a conditional use authorization instead of a large project authorization for projects in the Western SoMa Special Use District seeking heights above their base height.
401	Definitions for impact fees	Add references to appropriate WSoMa implementation documents.
423 et seq	Eastern Neighborhoods impact fees	Add appropriate references to WSoMa implementation documents to be included within the Eastern Neighborhood Impact Fee and Public Benefits Fund.
429.2	Public art requirement	Add WMUG, WMUO, and SALI to existing requirements for public art.
607.1	Signs in Neighborhood Commercial districts	Add Folsom Street NCT and RCD to existing controls for sign in Neighborhood Commercial Districts.
702.1	Neighborhood Commercial districts	Added Folsom Street NCT and RCD as Neighborhood Commercial Districts.
703.2	Limited live performance	Exclude RCD from Neighborhood Commercial Districts permitting Limited Live Performance spaces as accessory uses.
703.9	Permitted uses in Historic buildings in neighborhood	Create provisions to allow office space within Folsom Street NCT and RCD within certain historic buildings.

Exhibit IV-4 Planning Code Amendment Summary Table

Planning Code Section	Topic Addressed	Amendment Description
	commercial districts	
743.1	Folsom Street NCT	Add the Folsom Street NCT description and table of permitted uses.
744.1	Regional Commercial District (RCD)	Add the RCD description and table of permitted uses.
802.1	Mixed use districts	Add WMUG, WMUO, RED, RED-MX, and SALI as new mixed use districts.
802.4	Eastern Neighborhood mixed use districts	Add WMUG, WMUO, RED, RED-MX, and SALI as new Eastern Neighborhoods mixed use districts.
802.5	SoMa mixed use districts	Remove RED from the SoMa mixed use district classification.
803.3(b)(1)(c)(i) and (vi)	Accessory uses in mixed use districts	Add new Eastern Neighborhood mixed use districts to existing controls. Permit Limited Live Performance in the SALI and WMUO districts.
803.6	Formula retail uses	Update reference to Western SoMa Special Use District to match its new name.
803.7	WSoMa permit review	Delete this section because notification within the Special Use District will be covered by Section 312.
803.9(a) & (b)	Permitted uses in Historic buildings in Eastern Neighborhood mixed districts, and the South of Market Special Hall Of Justice Legal Services District	Update flexible land use controls for historic building in new Eastern Neighborhoods mixed use districts. Update language throughout the Section for consistency. Permit office uses related to the Hall of Justice in SALI within the South of Market Special Hall Of Justice Legal Services District.
813	RED table of permitted uses	Update table of permitted uses.
822	South of Market Special Hall Of Justice Legal Services District	Update reference to controls in SALI table of permitted uses.
823	Western SoMa Special Use District	Simplify the name to the "Western SoMa Special Use District" and provide specific controls regarding design, rear yards, open space, dwelling unit exposure, noncomplying nighttime entertainment uses, good neighbor policies, single-room-occupancy units, recreational facilities, nighttime entertainment and animal services buffers around RED and RED-MX districts south of Harrison Street, formula retail uses, and major developments of more than one half acre requesting heights above their base height requirements.
844	WMUG District	Add the WMUG description and table of permitted uses.
845	WMUO District	Add the WMUO description and table of permitted uses.
846	SALI District	Add the SALI description and table of permitted uses.
847	RED-MX District	Add the RED-MX description and table of permitted uses.
890.81	Recreation facility definition	Create a new definition for recreational facilities.
890.88(c)	Definition of single-room-	Set minimum size for single-room-occupancy units at 275 square feet in the Western SoMa Special Use

Exhibit IV-4 Planning Code Amendment Summary Table

Planning Code Section	Topic Addressed	Amendment Description
	occupancy units and buildings	District. Clarify the definition of a single-room-occupancy building so that the ground floor may be non-residential, but all residential uses within the building must be single-room-occupancy units for the building to be considered a "SRO" building.

Miller, Alisa

From: Jon Givner [Jon.Givner@sfgov.org]
Sent: Tuesday, February 26, 2013 7:31 PM
To: Wiener, Scott; Kim, Jane; Chiu, David
Cc: Teague, Corey; Switzky, Joshua; Ruiz-Esquide, Andrea; Miller, Alisa
Subject: Western SOMA amendments

Supervisors,

During discussion of the Western SOMA Planning Code ordinance (File 130002) at yesterday's Land Use meeting, I mentioned that the amendments adopted by the Committee might trigger additional notice requirements and a two-week delay. After conferring with Planning Department staff, the Clerk's staff, and other attorneys in my office, we have concluded that no additional notice is required. The Committee can consider and act on the ordinance at next Monday's meeting. Feel free to give me a call if you have any questions.

Jon

Jon Givner, Deputy City Attorney
Office of San Francisco City Attorney Dennis J. Herrera
1 Dr. Carlton B. Goodlett Place, Suite 234
San Francisco, CA 94102
phone: (415) 554-4694
fax: (415) 554-4745

Miller, Alisa

From: Andrea.Ruiz-Esquide@sfgov.org
Sent: Thursday, February 28, 2013 2:30 PM
To: Miller, Alisa
Subject: Re: Western SoMa Leg Digests

That's right, no need for new digests, thanks Alisa.

Andrea Ruiz-Esquide
Deputy City Attorney
City Hall Room 375
San Francisco, CA 94102
Tel: (415) 554-4618
Fax: (415) 554-4757
email: andrea.ruiz-esquide@sfgov.org

From: "Miller, Alisa" <alisa.miller@sfgov.org>
To: "Ruiz-Esquide, Andrea" <andrea.ruiz-esquide@sfgov.org>
Date: 02/28/2013 02:28 PM
Subject: Western SoMa Leg Digests

Hey Andrea,

I know we spoke about this yesterday, but could you confirm that the amended ordinances do not require revised leg digests? Thank in advance.

Alisa Miller

Assistant Clerk
Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
(415) 554-4447 | (415) 554-7714 fax
alisa.miller@sfgov.org | www.sfbos.org

Complete a Board of Supervisors Customer Satisfaction form by clicking [HERE](#).

Miller, Alisa

From: Yadegar, Danny
Sent: Monday, February 25, 2013 2:48 PM
To: Miller, Alisa; Angulo, Sunny; Lee, Ivy
Subject: RE: Western SoMa Legislation

Hi Alisa,

By all means, please list Supervisor Kim as the sponsor for the Western SoMa ordinances before Land Use Committee today.

My thanks for confirming.

Danny Yadegar
Legislative Aide, District 6

From: Miller, Alisa
Sent: Monday, February 25, 2013 2:32 PM
To: Angulo, Sunny; Yadegar, Danny; Lee, Ivy
Subject: Western SoMa Legislation

Hello all,

I understand Supervisor Kim should be listed as sponsor for the Western SoMa ordinances. I didn't get anything formal, can you please reply and just confirm that for the file?

Thank you.

Lisa

LEGISLATION RECEIVED CHECKLIST. Files 130001, 130002, 130003, 130004

Date 1/4/13 File Number (if applicable)

- Legislation for Introduction (NEW)
Legislation Pending in Committee (AMENDED)
Legislation for Board Agenda (AMENDED)
Legislation Clerk
Committee Clerk
Dep Clerk, Legislative Div

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance

- Legislation: Original and 4 copies
Signature: Department Head, the Mayor or the Mayor's designee, plus the Controller
Back-up materials: 4 full sets (if applicable)
E-Version: Sent to BOS Legislation@sfgov.org
Cover letter
Grant Information Form
Disability Access Checklist
Letter of Intent or grant award letter from funding agency
Ethics Form 126 (determined by the Committee Clerk)

Ordinance

- Legislation: Original and 2 copies
Signature: City Attorney
Back-up materials: 4 full sets (if applicable)
E-Version: Sent to BOS Legislation@sfgov.org - sent to Angela Calvillo
Cover letter
Back-up materials (determined by the Committee Clerk)

Grant Resolution

- Legislation: Original and 4 copies
Signature: Department Head, the Mayor or the Mayor's designee, plus the Controller
Back-up materials: 4 full sets (if applicable)
E-Version: Sent to BOS Legislation@sfgov.org
Cover letter
Grant Information Form
Disability Access Checklist
Letter of Intent or grant award letter from funding agency
Ethics Form 126 (determined by the Committee Clerk)

Resolution

- Legislation: Original and 3 copies
Signature: None required
Back-up materials: 4 full sets (if applicable)
E-Version: Sent to BOS Legislation@sfgov.org - sent to Angela Calvillo
Cover letter
Back-up materials (determined by the Committee Clerk)

Corey Teague Name

Planning Department

415-575-9081 Telephone Number