

1 [Building, Planning Codes - Code Corrections and Updates]

2

3 **Ordinance amending the Building and Planning Codes to correct typographical errors,**  
4 **update outdated cross-references, make non-substantive revisions to clarify or**  
5 **simplify Code language, and make other minor, substantive updates to various Code**  
6 **provisions; directing the Clerk of the Board of Supervisors to forward this Ordinance to**  
7 **the California Department of Housing and Community Development upon final**  
8 **passage; affirming the Planning Department’s determination under the California**  
9 **Environmental Quality Act; making findings of consistency with the General Plan, and**  
10 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**  
11 **public necessity, convenience, and general welfare under Planning Code, Section 302.**

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

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

18 Section 1. Environmental and Land Use Findings.

19 (a) The Planning Department has determined that the actions contemplated in this  
20 ordinance comply with the California Environmental Quality Act (California Public Resources  
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
22 Supervisors in File No. 241196 and is incorporated herein by reference. The Board affirms  
23 this determination.

24

25

1 (b) On September 19, 2024, the Planning Commission, in Resolution No. 21614,  
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
5 the Board of Supervisors in File No. 241196, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, the Board finds that this Planning Code  
7 amendment will serve the public necessity, convenience, and welfare for the reasons set forth  
8 in Planning Commission Resolution No. 21614, and the Board incorporates such reasons  
9 herein by reference. A copy of said resolution is on file with the Clerk of the Board of  
10 Supervisors in File No. 241196.

11 (d) On August 21, 2024, at a duly noticed public hearing, the Building Inspection  
12 Commission considered this ordinance in accordance with Charter Section 4.121 and Building  
13 Code Section 104A.2.11.1.1. A copy of a letter from the Secretary of the Building Inspection  
14 Commission regarding the Commission's recommendation is on file with the Clerk of the  
15 Board of Supervisors in File No. 241196.

16 (e) No local findings are required under California Health and Safety Code Section  
17 17958.7 because the amendments to the Building Code contained in this ordinance do not  
18 regulate materials or manner of construction or repair, and instead relate in their entirety to  
19 administrative procedures for implementing the code, which are expressly excluded from the  
20 definition of a "building standard" by California Health and Safety Code Section 18909(c).

21  
22 Section 2. Articles 1, 1.2, 2, 3, and 7 of the Planning Code are hereby amended by  
23 revising Sections 102, 132, 134, 136, 206.6, 207.1, 207.2, 209.1, 249.5, 303, 303.1, 311, 317,  
24 and 723, to read as follows:

25 **SEC. 102. DEFINITIONS.**

1 \* \* \* \*

2 **Dwelling Unit, Junior Accessory, or JADU.** A Dwelling Unit that meets all the  
3 requirements of ~~Sub~~section 207.2, and that:

4 (a) is accessory to at least one other Dwelling Unit on the same lot;

5 \* \* \* \*

6 (g) includes an efficiency kitchen that meets the requirements of California  
7 Government Code Section ~~65852.22(a)(6)~~66333(f), including a cooking facility with appliances,  
8 and a food preparation counter and storage cabinets that are of reasonable size in relation to  
9 the size of the Junior Accessory Dwelling Unit.

10 \* \* \* \*

11 **Historic Building.** A Historic Building is a building or structure that meets at least one  
12 of the following criteria:

- 13 • It is individually designated as a landmark under Article 10;
- 14 • It is listed as a contributor to an historic district listed in Article 10, or if the historic  
15 district does not list contributors, is determined to be a contributor through historic resource review;
- 16 • It is a Significant or Contributory Building under Article 11, with a Category I, II, III  
17 or IV rating;
- 18 • It has been listed or has been determined eligible for listing in the California  
19 Register of Historical Resources; or,
- 20 • It has been listed or has been determined eligible for listing in the National  
21 Register of Historic Places.

22 \* \* \* \*

23  
24 **SEC. 132. FRONT SETBACK AREAS IN RTO, RH, AND RM DISTRICTS AND FOR**  
25 **REQUIRED SETBACKS FOR PLANNED UNIT DEVELOPMENTS.**

1 \* \* \* \*

2 (a) **Basic Requirement.** Where one or both buildings adjacent to the subject property  
3 have front setbacks along a Street or Alley, any building or addition constructed,  
4 reconstructed, or relocated on the subject property shall be set back to no less than the depth  
5 of the adjacent building with the shortest front setback, except as provided in subsection (c).  
6 In any case in which the lot constituting the subject property is separated from the lot  
7 containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less  
8 parallel to the Street or Alley, such nearest building shall be deemed to be an “adjacent  
9 building,” but a building on a lot so separated for a greater distance shall not be deemed to be  
10 an “adjacent building.” However, aside from the scenarios described in subsection (c) below, a lot  
11 that only has one adjacent building shall provide a front setback equal to one half the front setback of  
12 such adjacent building.

13 \* \* \* \*

14 (c) **Applicability to Special Lot Situations.**

15 (1) **Corner Lots and Lots at Alley Intersections.** On a Corner Lot as defined  
16 in Section 102 of this Code, or a lot at the intersection of a Street and an Alley or two Alleys, a  
17 front setback area shall be required only along the Street or Alley elected by the owner as the  
18 front of the property. Along such Street or Alley, the required setback for the subject lot shall  
19 be equal to one-half the front setback of the adjacent building.

20 (2) **Lots Abutting Properties That Front on Another Street or Alley.** In the  
21 case of any lot that abuts along its side lot line upon a lot that fronts on another Street or  
22 Alley, the lot on which it so abuts shall be disregarded, and the required setback for the  
23 subject lot shall be equal to the front setback of the adjacent building on its opposite side.

24 [diagrams omitted for convenience; not deleted]

1 (3) **Lots Abutting RC, C, M, and P Districts.** In the case of any lot that abuts  
2 property in an RC, C, M, or P District, any property in such district shall be disregarded, and  
3 the required setback for the subject lot shall be equal to the front setback of the adjacent  
4 building in the RH, RTO, or RM District.

5  
6 **SEC. 134. REAR YARDS IN R, RC, NC, M, CMUO, MUG, MUO, MUR, RED, RED-MX, SPD,**  
7 **UMU ~~and~~AND WMUG DISTRICTS; AND LOT COVERAGE REQUIREMENTS IN C**  
8 **DISTRICTS.**

9 \* \* \* \*

10 (b) **Applicability.** The rear yard requirements established by this Section 134 shall  
11 apply to every building in the districts listed below, except NC-S Districts, where no rear yard is  
12 required. To the extent that these provisions are inconsistent with any Special Use District or  
13 Residential Character District, the provisions of the Special Use District or Residential  
14 Character District shall apply.

15 \* \* \* \*

16 (k) **Modification of Requirements in NC Districts.** The rear yard requirement in NC Districts  
17 may be modified or waived by the Zoning Administrator pursuant to the procedures which are  
18 applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2, if all the following  
19 criteria are met:

20 (1) Residential Uses are included in the new or expanding development and a  
21 comparable amount of usable open space is provided elsewhere on the lot or within the development  
22 where it is more accessible to the residents of the development; and

23 (2) The proposed new or expanding structure will not adversely affect the interior block  
24 open space formed by the rear yards of adjacent properties.

1 **SEC. 136. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED**  
 2 **SETBACKS, YARDS, AND USABLE OPEN SPACE.**

| <b>Streets<br/>and<br/>Alleys</b> | <b>Set-<br/>backs</b> | <b>Yards</b> | <b>Usable<br/>Open<br/>Space</b>   |
|-----------------------------------|-----------------------|--------------|--|
|                                   |                       | X            | <p>7 * * * *</p> <p>8 (c) The permitted obstructions shall be as follows:</p> <p>9 * * * *</p> <p>10 (24) Decks, whether attached to a building or</p> <p>11 not, at or below the adjacent first floor of occupancy,</p> <p>12 if developed as usable open space and meeting the</p> <p>13 following requirements:</p> <p>14 * * * *</p>   |
|                                   |                       |              | <p>15 (C) Slope of more than <u>70% percent</u>.</p> <p>16 Because in these cases the normal usability of the</p> <p>17 required open area is seriously impaired by the slope,</p> <p>18 a deck covering not more than 1/3 the area of the</p> <p>19 required open area may be built exceeding the</p> <p>20 heights specified above, provided that the <del>light, air,</del></p> <p>21 <del>view, and</del> privacy of adjacent lots <del>are</del><u>is</u> not seriously</p> <p>22 affected. Each such case shall be considered on its</p> <p>23 individual merits. However, the following points shall</p> <p>24 be considered guidelines in these cases:</p> |

- (i) The deck shall be designed to provide the minimum obstruction to ~~light, air, view and privacy.~~
- (ii) The deck shall be at least two feet inside all side lot lines.
- (iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear, and the deck shall be kept at least 10 feet inside the rear lot line;

\* \* \* \*

**SEC. 206.6. STATE DENSITY BONUS PROGRAM: INDIVIDUALLY REQUESTED.**

\* \* \* \*

(e) **Review Procedures.** Except as provided in Section 317 or where a Conditional Use Authorization is required to permit a non-residential use, an application for any Individually Requested Density Bonus project shall not be subject to any other underlying entitlement approvals related to the proposed housing, such as a Conditional Use Authorization, Mandatory Discretionary Review, or a Large Project Authorization. Further, any entitled project that was previously approved under the Individually Requested Density Bonus program that seeks an amendment to their approved application, including those projects outlined in Planning Code Section 415A.5, shall also not require an underlying entitlement approval related to the proposed housing. If an entitlement is otherwise required, an application for a Density Bonus, Incentive,

1 Concession, or waiver shall be acted upon concurrently with the application for the required  
2 entitlement.

3 \* \* \* \*

4  
5 **SEC. 207.1. LOCAL ACCESSORY DWELLING UNIT PROGRAM.**

6 (a) **Exception to Dwelling Unit Density Limits for Certain Accessory Dwelling**  
7 **Units Under City’s Local Program.** An exception to the calculations under Section 207 of  
8 this Code shall be made for Accessory Dwelling Units (“ADUs”), as defined in Section 102 of  
9 this Code, meeting the requirements of this Section 207.1.

10 \* \* \* \*

11 (e) **Restrictions on Subdivisions.** Notwithstanding the provisions of Article 9 of the  
12 Subdivision Code, a lot with an ADU authorized under this Section 207.1 shall not be  
13 subdivided in a manner that would allow for the ADU to be sold or separately financed  
14 pursuant to any condominium plan, housing cooperative, or similar form of separate  
15 ownership. This prohibition on separate sale or finance of the ADU shall not apply to an ADU  
16 in a building that consisted entirely of condominium units as of July 11, 2013, and has had no  
17 evictions pursuant to Sections 37.9(a) through 37.9(a)(12) and 37.9(a)(14) of the  
18 Administrative Code since July 11, 1996. This prohibition on separate sale or finance of the  
19 ADU shall not apply to an ADU that meets the requirements of California Government Code  
20 Section ~~65852.26~~66341.

21 \* \* \* \*

22  
23 **SEC. 207.2. STATE MANDATED ACCESSORY DWELLING UNIT PROGRAM.**

24 (a) **Exception to Dwelling Unit Density Limits for Certain Accessory Dwelling**  
25 **Units Under the State-Mandated Program.** An exception to the calculations under Section



1 207 of this Code shall be made for Accessory Dwelling Units (“ADUs”) and Junior Accessory  
2 Dwelling Units (“JADUs”), as defined in Section 102 of this Code, meeting the requirements of  
3 this Section 207.2. The purpose of this Section 207.2 is to implement California Government  
4 Code Sections ~~65852.266314~~ and ~~65852.2266333~~, which require ministerial consideration of  
5 ADUs and JADUs that meet certain standards.

6 \* \* \* \*

7 (d) **Specific Controls for Hybrid ADUs.** The purpose of this subsection 207.2(d)  
8 is to implement California Government Code Sections ~~65852.2(e)66323~~ and ~~65852.2266333~~,  
9 which require ministerial consideration of ADUs and JADUs that meet certain standards  
10 (“Hybrid ADUs”). California Government Code Section ~~65852.2(e)(6)66323~~ authorizes the City  
11 to impose objective standards, including, but not limited to, design, development, and historic  
12 standards, on ADUs approved under this subsection 207.2(d). ADUs and JADUs shall strictly  
13 meet the requirements set forth in this subsection 207.2(d), and all other applicable Planning  
14 Code standards, including open space, exposure, buildable area, and other standards,  
15 without requiring a waiver of Code requirements pursuant to subsection 207.1(g); provided,  
16 however, that adding an ADU or JADU in compliance with this subsection 207.2(d) does not  
17 exceed the allowable density for the lot. The City shall approve ADUs and JADUs meeting the  
18 following requirements, in addition to the requirements of subsection 207.2(b) and any other  
19 applicable standards:

20 (1) **ADUs and JADUs within proposed space of a proposed single-**  
21 **family dwelling or within existing space of a single-family dwelling or accessory**  
22 **structure meeting the following conditions:**

23 \* \* \* \*

24 (F) If a JADU is proposed, it meets the requirements of Planning Code  
25 Section 102 and California Government Code Section ~~65852.2266333~~.

1 \* \* \* \*

2 (e) **Specific Controls for State ADUs.** The purpose of this subsection 207.2(e) is  
3 to implement California Government Code Sections ~~65852.2(a) through (d)~~66314, which require  
4 streamlined, ministerial approval of ADUs meeting certain standards (“State ADUs”). An ADU  
5 located on a lot that is zoned for single-family or multifamily use and contains an existing or  
6 proposed dwelling, and that is constructed pursuant to this subsection 207.2(e), shall meet all  
7 of the following requirements, in addition to the requirements of subsection 207.2(b) and any  
8 other applicable standards; ~~P~~provided, however, that the City shall not impose any  
9 requirement for a zoning clearance or separate zoning review, any minimum or maximum size  
10 for an ADU, any size based upon a percentage of the proposed or existing primary dwelling,  
11 or any limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot  
12 size, for either attached or detached dwellings, that does not permit construction of an ADU  
13 meeting all other requirements that is 800 square feet or less in Gross Floor Area, 16 feet or  
14 less in height, and with four foot side and rear yard setbacks. ADUs under this subsection  
15 207.2(e) shall meet the following conditions:

16 \* \* \* \*

17 (7) **Setbacks.** No setback is required for an ADU located within an existing  
18 living area or an existing accessory structure, or an ADU that replaces an existing structure  
19 and is located in the same location and constructed to the same dimensions as the structure  
20 being replaced. A setback of no more than four feet from the side and rear lot lines shall be  
21 required for an ADU that is not converted from either an existing structure or a new structure  
22 constructed in the same location and to the same dimensions as an existing structure;  
23 provided, however, that for an ADU that is part of new construction, such setback shall be required  
24 only for the portions of the ADU outside of the buildable area of the lot.

25 \* \* \* \*

1 (f) **Permit Application Review and Approval.** No requests for discretionary  
2 review shall be accepted by the Planning Department for ~~permit applications~~an ADU or JADU  
3 meeting the requirements of this Section 207.2. The Planning Commission shall not hold a  
4 public hearing for discretionary review of ~~permit applications~~an ADU or JADU meeting the  
5 requirements of this Section 207.2. ~~Permit applications~~An ADU or JADU meeting the  
6 requirements of this Section 207.2 shall not be subject to the notification or review  
7 requirements of Section 311 of this Code.

8 \* \* \* \*

9 (h) **Prohibition of Short-Term Rentals.** An ADU or JADU authorized under this  
10 Section 207.2 shall not be used for Short-Term Residential Rentals under Chapter 41A of the  
11 Administrative Code. ~~This restriction shall be recorded as a Notice of Special Restriction on the~~  
12 ~~subject lot.~~

13 (i) **Rental; Restrictions on Subdivisions.** An ADU or JADU constructed  
14 pursuant to this Section 207.2 may be rented and is subject to all applicable provisions of the  
15 Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative  
16 Code). Notwithstanding the provisions of Article 9 of the Subdivision Code, a lot with an ADU  
17 or JADU authorized under this Section 207.2 shall not be subdivided in a manner that would  
18 allow for the ADU or JADU to be sold or separately financed pursuant to any condominium  
19 plan, housing cooperative, or similar form of separate ownership, except that this prohibition  
20 on separate sale or finance of the ADU shall not apply to an ADU that meets the requirements  
21 of California Government Code Section ~~65852.2666333~~66333(f).

22 (j) **Recordation for Junior ADUs.** The following restrictions shall be recorded as  
23 a Notice of Special Restriction, as required by California Government Code Section 66333(c), on  
24 the subject lot on which a JADU is constructed under this Section 207.2 and shall be binding  
25 on all future owners and successors in interest:

1 (1) Notwithstanding the provisions of Article 9 of the Subdivision Code, a lot  
2 with a JADU authorized under this Section 207.2 shall not be subdivided in a manner that  
3 would allow for the JADU to be sold or separately financed pursuant to any condominium  
4 plan, housing cooperative, or similar form of separate ownership, except that this prohibition  
5 on separate sale or finance of the JADU shall not apply to a JADU that meets the  
6 requirements of California Government Code Section ~~65852.2666333~~(f).

7 (2) The size and attributes of a JADU constructed pursuant to this Section  
8 207.2 shall comply with the requirements of this Section 207.2 and California Government  
9 Code Section 65852.2266333.

10 (jk) **Department Report.** In addition to the information required by subsection  
11 207.1(i)(3), the annual Housing Inventory shall include a description and evaluation of the  
12 number and types of units being developed pursuant to this Section 207.2, their affordability  
13 rates, and such other information as the Director or the Board of Supervisors determines  
14 would inform decision\_makers and the public.

15 (kl) **Fees.** No impact fees shall be imposed on ADUs or JADUs authorized under  
16 this Section 207.2, where the ADU or JADU is smaller than 750 square feet of Gross Floor  
17 Area, or for ADUs that are proposed in lots with three existing units or fewer. Impact fees for  
18 all other ADUs shall be imposed proportionately in relation to the Gross Floor Area of the  
19 primary dwelling unit.

20  
21 **SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

22 \* \* \* \*

23 Table 209.1

24 ZONING CONTROL TABLE FOR RH DISTRICTS

|   |                                |            |                |                |                |      |      |
|---|--------------------------------|------------|----------------|----------------|----------------|------|------|
| 1 | Zoning                         | §          | RH-1(D)        | RH-1           | RH-1(S)        | RH-2 | RH-3 |
| 2 | Category                       | References |                |                |                |      |      |
| 3 | * * * *                        |            |                |                |                |      |      |
| 4 | RESIDENTIAL STANDARDS AND USES |            |                |                |                |      |      |
| 5 | * * * *                        |            |                |                |                |      |      |
| 6 | Residential Uses               |            |                |                |                |      |      |
| 7 | * * * *                        |            |                |                |                |      |      |
| 8 | Homeless                       | §§ 102,    | P <del>P</del> | P <del>P</del> | P <del>P</del> | P    | P    |
| 9 | Shelter                        | 208        |                |                |                |      |      |

\* \* \* \*

**SEC. 249.5. NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT.**

(a) **General.** A special use district entitled the "North of Market Residential Special Use District," which includes RC-4 and P Use Districts, the boundaries of which are shown on Sectional Map No. SU01, *and SU02* of the Zoning Map of the City and County of San Francisco, is hereby established for the purposes set forth below.

\* \* \* \*

**SEC. 303. CONDITIONAL USES.**

\* \* \* \*

(i) **Large-Scale Retail Uses.** With respect to applications for the establishment of large-scale retail uses under Section 121.6, in addition to the criteria set forth in §Subsections (c) and (d) above, the Commission shall consider the following:

(1) The extent to which the retail use's parking is planned in a manner that creates or maintains active street frontage patterns;

(2) The extent to which the retail use is a component of a mixed-use project or is designed in a manner that encourages mixed-use building opportunities;

1 (3) The shift in traffic patterns that may result from drawing traffic to the  
2 location of the proposed use;

3 (4) The impact that the employees at the proposed use will have on the  
4 demand in the City for housing, public transit, childcare, and other social services; and

5 (5) An economic impact study. The Planning Department shall prepare an  
6 economic impact study using qualified City staff or shall select a consultant from a pool of pre-  
7 qualified consultants to prepare the economic impact study required by this ~~sub~~subsection (i)(5).  
8 The analysis, in the form of a study, shall be considered by the Planning Commission in its  
9 review of the application. The applicant shall bear the cost of paying the consultant for the  
10 consultant's~~his or her~~ work preparing the economic impact study, and any necessary  
11 documents prepared as part of that study. ~~The applicant shall also pay an administrative fee to~~  
12 ~~compensate Planning Department and City staff for its time reviewing the study, as set forth in Section~~  
13 ~~359 of this Code.~~ The study shall evaluate the potential economic impact of the applicant's  
14 proposed project, including:

15 \* \* \* \*

16  
17 **SEC. 303.1. FORMULA RETAIL USES.**

18 \* \* \* \*

19 (e) **Conditional Use Authorization Required.** A Conditional Use Authorization shall  
20 be required for a Formula Retail use in the following zoning districts unless explicitly  
21 exempted:

22 \* \* \* \*

23 (9) Third Street Formula Retail Restricted Use District, as defined in Section  
24 786; and

1 (10) ~~C-3-G District with frontage on Market Street, between 6th Street and the~~  
2 ~~intersection of Market Street, 12th Street and Franklin Street; and~~

3 (H) Central SoMa Special Use District as defined in Section 848, except for  
4 those uses not permitted pursuant to subsection (f) below.

5 \* \* \* \*

6  
7 **SEC. 311. PERMIT REVIEW PROCEDURES.**

8 \* \* \* \*

9 (b) **Applicability.**

10 (1) Within the Priority Equity Geographies SUD, all planning entitlement  
11 applications in Residential, NC, NCT, Chinatown Mixed Use Districts, and Eastern  
12 Neighborhoods Mixed Use Districts for demolition, new construction, or alteration of buildings  
13 shall be subject to the notification and review procedures required by this Section 311.  
14 Notwithstanding the foregoing or any other requirement of this Section 311, planning  
15 entitlement applications to construct an Accessory Dwelling Unit pursuant to Section 207.2  
16 shall not be subject to the notification or review requirements of this Section 311.——

17 —————(B) A change of use to a principally permitted use in the Western SoMa Plan  
18 Area, Central SoMa Plan Area, or East SoMa Plan Area shall not be subject to the provisions  
19 of this Section 311.

20 \* \* \* \*

21 (d) **Notification.** Upon determination that an application is in compliance with the  
22 development standards of the Planning Code, the Planning Department shall cause a notice  
23 to be posted on the site pursuant to rules established by the Zoning Administrator and shall  
24 cause a written notice describing the proposed project to be sent in the manner described  
25 below. This notice shall be in addition to any notices required by the Building Code and shall

1 have a format and content determined by the Zoning Administrator. ~~It shall include a description~~  
2 ~~of the proposal compared to any existing improvements on the site with dimensions of the basic~~  
3 ~~features, elevations and site plan of the proposed project including the position of any adjacent~~  
4 ~~buildings, exterior dimensions and finishes, and a graphic reference scale, existing and proposed uses~~  
5 ~~or commercial or institutional business name, if known.~~ The notice shall describe the project  
6 review process and shall set forth the mailing date of the notice and the expiration date of the  
7 notification period.

8 \* \* \* \*

9 (7) **Notification Package.** The notification package for a project subject to  
10 notice under this Section 311 shall include a written notice and reduced-size drawings of the  
11 project. Distributed plans and drawings may be limited to comply with applicable state laws.

12 \* \* \* \*

13  
14 **SEC. 317. LOSS OF RESIDENTIAL AND UNAUTHORIZED UNITS THROUGH**  
15 **DEMOLITION, MERGER, AND CONVERSION.**

16 \* \* \* \*

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

18 (1) Within the Priority Equity Geographies Special Use District, any application  
19 for a permit that would result in the Removal of one or more Residential Units or Unauthorized  
20 Units is required to obtain Conditional Use authorization.

21 (2) Outside the Priority Equity Geographies Special Use District, any  
22 application for a permit that would result in the Removal of one or more Residential Units or  
23 Unauthorized Units is required to obtain Conditional Use authorization unless it meets all the  
24 following criteria:

25 \* \* \* \*



1 (D) The proposed project is adding at least one more ~~unit~~ Residential Unit  
2 than would be demolished;

3 \* \* \* \*

4 \_\_\_\_\_(4) For Unauthorized Units, this Conditional Use authorization will not be  
5 required for Removal if the Zoning Administrator has determined in writing that the unit cannot  
6 be legalized under any applicable provision of this Code. The application for a replacement  
7 building or alteration permit shall also be subject to Conditional Use requirements.

8 \* \* \* \*

9 (7) **Exemptions for Unauthorized Dwelling Units.** The Removal of an  
10 Unauthorized Unit does not require a Conditional Use authorization pursuant to subsections  
11 (c)(1) or (c)(2) if:

12 (A) the Unauthorized Unit requires a waiver of open space or dwelling  
13 unit exposure requirements, and the Unauthorized Unit is ineligible for a waiver or exemption  
14 from those standards pursuant to Section 307, Section 207~~(e)(4)~~.1 (Accessory Dwelling Units -  
15 Local Program), Section 207~~(e)(6)~~.2 (Accessory Dwelling Units - State Mandated Program), or  
16 Section 207.3 (Dwelling Unit Legalization Program); or

17 (B) the Unauthorized Unit has no contiguous area that meets both the  
18 required minimum superficial floor area in Housing Code Section 503(b) and the minimum  
19 legal floor-to-ceiling height requirement in Housing Code Section 503(a).

20 \* \* \* \*

21  
22 **SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

23 \* \* \* \*

24 **Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
25 **ZONING CONTROL TABLE**

\* \* \* \*

|   |              |   |
|---|--------------|---|
|   |              | Polk Street NCD   |
| Zoning Category                         | § References | Controls  |
| <b>BUILDING STANDARDS</b>               |              |   |
| * * * *                                 |              |   |
| <b>Street Frontage and Public Realm</b> |              |   |
| * * * *                                 |              |   |
| Ground Floor Commercial                 | § 145.4      | <del>Not Required</del> <u>Required on any street frontage that is in the Polk Street Neighborhood Commercial District.</u> |
| * * * *                                 |              |   |

Section 3. Article 8 of the Planning Code is hereby amended by revising Sections 810, 811, 812, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, and 840, to read as follows:

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

\* \* \* \*

**Table 810**

**CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

|                        |                     |  |
|------------------------|---------------------|--|
|                        |                     | <b>Chinatown Community Business District</b> |
| <b>Zoning Category</b> | <b>§ References</b> | <b>Controls</b>                              |

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|                                       |                      |  |
|---------------------------------------|----------------------|--|
| <b>RESIDENTIAL STANDARDS AND USES</b> |                      |  |
| * * * *                               |                      |  |
| <b>Use Characteristics</b>            |                      |  |
| <i>Intermediate Length Occupancy</i>  | <u>§§102, 202.10</u> | <i>NP</i>  |
| Single Room Occupancy                 | §102                 | P  |
| * * * *                               |                      |  |
| <b>NON-RESIDENTIAL STANDARDS</b>      |                      |  |
| <b>Development Standards</b>          |                      |  |
| * * * *                               |                      |  |
| Use Size                              | § 121.4              | P up to <del>5,000</del> <u>2,500</u> sq. ft.; C<br><i>5,000 sq. ft. &amp; above</i> <u>2,501 to</u><br><u>5,000 sq. ft.</u> |
| * * * *                               |                      |  |

\* \* \* \*

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

\* \* \* \*

**Table 811**

**CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

| Zoning Category                       | § References | Controls |
|---------------------------------------|--------------|----------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |              |          |
| * * * *                               |              |          |

|                                      |                      |           |
|--------------------------------------|----------------------|-----------|
| <b>Use Characteristics</b>           |                      |           |
| <i>Intermediate Length Occupancy</i> | <u>§§102, 202.10</u> | <u>NP</u> |
| Single Room Occupancy                | §102                 | P         |
| * * * *                              |                      |           |

\* \* \* \*

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

\* \* \* \*

**Table 812**

**CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

| <b>Zoning Category</b>                | <b>§ References</b>  | <b>Controls</b> |
|---------------------------------------|----------------------|-----------------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |                      |                 |
| * * * *                               |                      |                 |
| <b>Use Characteristics</b>            |                      |                 |
| <i>Intermediate Length Occupancy</i>  | <u>§§102, 202.10</u> | <u>NP</u>       |
| Single Room Occupancy                 | §102                 | P               |
| * * * *                               |                      |                 |

\* \* \* \*

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

\* \* \* \*

Table 830

CMUO – CENTRAL SOMA MIXED USE – OFFICE DISTRICT ZONING CONTROL TABLE

| Zoning Category                       | § References         | Controls  |
|---------------------------------------|----------------------|-----------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |                      |           |
| * * * *                               |                      |           |
| <b>Use Characteristics</b>            |                      |           |
| <i>Intermediate Length Occupancy</i>  | <u>§§102, 202.10</u> | <u>NP</u> |
| Single Room Occupancy                 | §102                 | P         |
| * * * *                               |                      |           |

\* \* \* \*

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

\* \* \* \*

Table 831

MUG – MIXED USE – GENERAL DISTRICT ZONING CONTROL TABLE

| Zoning Category                       | § References  | Mixed Use-General District Controls |
|---------------------------------------|---------------|-------------------------------------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |                                     |
| * * * *                               |               |                                     |
| <b>Use Characteristics</b>            |               |                                     |
| Intermediate Length<br>Occupancy      | §§102, 202.10 | <u>NP P(2)</u>                      |
| * * * *                               |               |                                     |

\* \* \* \*

(2) ~~[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.~~

\* \* \* \*

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

\* \* \* \*

**Table 832**

**MUO – MIXED USE – OFFICE DISTRICT ZONING CONTROL TABLE**

| Zoning Category                       | § References  | Mixed Use-Office District Controls |
|---------------------------------------|---------------|------------------------------------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |                                    |
| * * * *                               |               |                                    |
| <b>Use Characteristics</b>            |               |                                    |
| Intermediate Length                   | §§102, 202.10 | <del>NP P(3)</del>                 |
| Occupancy                             |               |                                    |
| * * * *                               |               |                                    |

\* \* \* \*

(3) ~~[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.~~

\* \* \* \*

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

\* \* \* \*

**Table 833**

**MUR – MIXED USE RESIDENTIAL – DISTRICT ZONING CONTROL TABLE**

|                                       |                     |  |
|---------------------------------------|---------------------|--|
| <b>Zoning Category</b>                | <b>§ References</b> | <b>Mixed Use-Residential District Controls</b> |
| <b>RESIDENTIAL STANDARDS AND USES</b> |                     |  |
| * * * *                               |                     |  |
| <b>Use Characteristics</b>            |                     |  |
| Intermediate Length                   | §§102, 202.10       | <u>NP P(4)</u>                                 |
| Occupancy                             |                     |  |
| * * * *                               |                     |  |

\* \* \* \*

(4) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.*

\* \* \* \*

**SEC. 834. RED – RESIDENTIAL ENCLAVE DISTRICT.**

\* \* \* \*

**Table 834**

**RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE**

|                                       |                     |  |
|---------------------------------------|---------------------|--|
| <b>Zoning Category</b>                | <b>§ References</b> | <b>Residential Enclave District Controls</b> |
| <b>RESIDENTIAL STANDARDS AND USES</b> |                     |  |
| * * * *                               |                     |  |
| <b>Use Characteristics</b>            |                     |  |
| Intermediate Length                   | §§102, 202.10       | <u>NP P(5)</u>                               |
| Occupancy                             |                     |  |
| * * * *                               |                     |  |

\* \* \* \*

(5) ~~[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.~~

\* \* \* \*

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

\* \* \* \*

**Table 835**

**RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE**

\* \* \* \*

| Zoning Category                       | § References  | Residential Enclave-Mixed District Controls |
|---------------------------------------|---------------|---|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |   |
| * * * *                               |               |   |
| <b>Use Characteristics</b>            |               |   |
| Intermediate Length                   | §§102, 202.10 | <del>NP P(2)</del>                          |
| Occupancy                             |               |   |
| * * * *                               |               |   |

\* \* \* \*

(2) ~~[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.~~

\* \* \* \*



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

2 \* \* \* \*

3 **Table 836**

4 **SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE**

5 \* \* \* \*

| Zoning Category                       | § References  | Service/Arts/Light Industrial District Controls |
|---------------------------------------|---------------|---|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |   |
| * * * *                               |               |   |
| <b>Use Characteristics</b>            |               |   |
| Intermediate Length                   | §§102, 202.10 | <u>NP P(2)</u>                                  |
| Occupancy                             |               |   |
| * * * *                               |               |   |

15 \*Not listed below

16 \* \* \* \*

17 (2) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or*  
 18 *more Dwelling Units.*

19 \* \* \* \*

20 (10) Nighttime Entertainment subject to buffer in Section 249.39(c)(7)249.6(e)(9).

23 **SEC. 837. SPD – SOUTH PARK DISTRICT.**

24 \* \* \* \*

Table 837

SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE

\* \* \* \*

| Zoning Category                       | § References  | South Park District Controls |
|---------------------------------------|---------------|------------------------------|
| * * * *                               |               |                              |
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |                              |
| * * * *                               |               |                              |
| <b>Use Characteristics</b>            |               |                              |
| Intermediate Length<br>Occupancy      | §§102, 202.10 | <u>NP P(4)</u>               |
| * * * *                               |               |                              |

\* \* \* \*

(4) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units*

\* \* \* \*

**SEC. 838. UMU – URBAN MIXED USE DISTRICT.**

The Urban Mixed Use (UMU) District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Within the UMU, allowed uses include production, distribution, and repair uses such as light manufacturing, home and business services, arts activities, warehouse, and wholesaling. Additional permitted uses include retail, educational facilities, and nighttime entertainment. Housing is also permitted, but is subject to higher affordability requirements.

1 Family-sized dwelling units are encouraged. Within the UMU, office uses are generally  
 2 prohibited in the Mission Area Plan and elsewhere are restricted to the upper floors of multiple  
 3 story buildings. In considering any new land use not contemplated in this District, the Zoning  
 4 Administrator shall take into account the intent of this District as expressed in this Section  
 5 8438 and in the General Plan. Accessory Dwelling Units are permitted within the district  
 6 pursuant to Sections 207.1 and ~~(e)(6)~~207.2 of this Code.

7 \* \* \* \*

8 **Table 838**

9 **UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE**

10 \* \* \* \*

| Zoning Category                       | § References  | Urban Mixed Use District Controls |
|---------------------------------------|---------------|-----------------------------------|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |                                   |
| * * * *                               |               |                                   |
| <b>Use Characteristics</b>            |               |                                   |
| Intermediate Length                   | §§102, 202.10 | <u>NP P(1)</u>                    |
| Occupancy                             |               |                                   |
| * * * *                               |               |                                   |

18 \* \* \* \*

19 (1) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or*  
 20 *more Dwelling Units.*

21 \* \* \* \*

22  
 23 **SEC. 839. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.**

24 \* \* \* \*

1 **Table 839**

2 **WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE**

3 \* \* \* \*

| Zoning Category                       | § References  | Western SoMa Mixed Use-General District Controls |
|---------------------------------------|---------------|--|
| <b>RESIDENTIAL STANDARDS AND USES</b> |               |  |
| * * * *                               |               |  |
| <b>Use Characteristics</b>            |               |  |
| Intermediate Length                   | §§102, 202.10 | <u>NP P(3)</u>                                   |
| Occupancy                             |               |  |
| * * * *                               |               |  |

12 \* \* \* \*

13 (3) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or*  
 14 *more Dwelling Units.*

15 \* \* \* \*

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

17 \* \* \* \*

18 **Table 840**

19 **WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE**

20 \* \* \* \*

| Zoning Category                       | § References | Western SoMa Mixed Use-General District Controls |
|---------------------------------------|--------------|--|
| <b>RESIDENTIAL STANDARDS AND USES</b> |              |  |
| * * * *                               |              |  |

|                            |               |                |
|----------------------------|---------------|----------------|
| <b>Use Characteristics</b> |               |                |
| Intermediate Length        | §§102, 202.10 | <u>NP P(3)</u> |
| Occupancy                  |               |                |
| * * * *                    |               |                |

(3) *[Note Deleted] NP for buildings with three or fewer Dwelling Units. C for buildings with 10 or more Dwelling Units.*

\* \* \* \*

Section 4. Chapter 1A, Section 106A of the San Francisco Building Code is hereby amended by revising Section 106A.1.19, to read as follows:

**106A.1.19 State-Mandated Accessory Dwelling Unit Program.** California Government Code Sections ~~65852.266314~~ and ~~65852.2266333~~ require expedited, ministerial consideration of Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”) that meet the requirements of Planning Code Section 207.2.

Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

Section 7. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed to submit a copy of this ordinance to the California Department of Housing and

