

File No. 120472

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date July 23, 2012

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
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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"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input 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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| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Environmental Review Determination, dtd 5/22/12 |
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Completed by: Alisa Miller Date July 20, 2012

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document can be found in the file.

1 [Planning Code - Clerical Modifications and Repeal of Obsolete Sections]

2
3 **Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete**
4 **Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201,**
5 **204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and**
6 **adopting environmental findings, Section 302 findings, and findings of consistency**
7 **with the General Plan and the Priority Policies of Planning Code Section 101.1.**

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

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

12 Section 1. Findings.

13 (a) The Planning Department has determined that the actions contemplated in this
14 ordinance comply with the California Environmental Quality Act (California Public Resources
15 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
16 Supervisors in File No. 120472 and is incorporated herein by reference.

17 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
18 amendments will serve the public necessity, convenience, and welfare for the reasons set
19 forth in Planning Commission Resolution No. 18553 and the Board incorporates such reasons
20 herein by reference. A copy of Planning Commission Resolution No. 18553 is on file with the
21 Clerk of the Board of Supervisors in File No. 110548.

22 (c) This Board finds that these Planning Code amendments are consistent with the
23 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
24 forth in Planning Commission Resolution No. 18553, and the Board hereby incorporates such
25 reasons herein by reference.

Supervisor Chiu
BOARD OF SUPERVISORS

1
2 Section 2. The San Francisco Planning Code is hereby amended by repealing Sections
3 187, 249.15, 263.2, and 263.3, as follows:

4 ~~SEC. 187. GARMENT SHOPS AND GARMENT FACTORIES AS NONCONFORMING USES.~~

5 ~~(a) A garment shop or a garment factory (as defined in the Building Code), existing on January~~
6 ~~1, 1960, and located either in a commercial district or in a building having legal nonconforming~~
7 ~~commercial status under provisions of the City Planning Code in force on that date, shall be regarded~~
8 ~~as a legal nonconforming use under provisions of the City Planning Code becoming effective on May 2,~~
9 ~~1960, if such shop or factory was brought into compliance with all applicable codes and ordinances~~
10 ~~prior to January 1, 1961. Permits of Occupancy must have been obtained prior to January 1961, by~~
11 ~~such shop or factory, and any shop or factory which failed to comply with all applicable codes and~~
12 ~~ordinances prior to that date shall have closed and discontinued all operations.~~

13 ~~(b) Garment shops and garment factories located in an R District, except those having legal~~
14 ~~nonconforming status, shall have closed and ceased all operations by January 1, 1961.~~

15 ~~(c) Garment shops and garment factories having legal nonconforming status in R, NC, and C~~
16 ~~Districts shall be subject to the provisions of Sections 180 through 185 of this Code as noneonforming~~
17 ~~uses. No such use shall be intensified by installation of additional machines.~~

18 ~~SEC. 249.15. RESTRICTED LIGHT INDUSTRIAL SPECIAL USE DISTRICT.~~

19 ~~(a) Purpose. There shall be a special use district known as the Restricted Light Industrial~~
20 ~~Special Use District, consisting of certain portions of the City and County of San Francisco zoned M-1~~
21 ~~or P which border residential or recreational areas. The purpose of this district will be to restrict the~~
22 ~~more intensive light industrial activities in order to reduce conflict between uses adjacent or in close~~
23 ~~proximity to one another. These uses include: industrial areas, residential areas, recreation areas (both~~
24 ~~existing and proposed), large sports facilities or other large parking generators.~~

25 ~~(b) Controls.~~

1 ~~(1) In the Restricted Light Industrial Special Use District, the following uses (otherwise~~
2 ~~permitted or conditionally permitted in M-1 districts) shall not be permitted:~~

3 ~~–Yard for storage or sale of livestock feed or coal;~~

4 ~~–Stone or monument yard;~~

5 ~~–Storage or transfer of junk, waste, garbage, refuse, secondhand, discarded, or salvaged~~
6 ~~materials;~~

7 ~~–Automobile wrecking operation;~~

8 ~~–Rendering or reduction of animal materials;~~

9 ~~–Automobile assembling;~~

10 ~~–Bottling plant, brewery, dairy products, plant, malt manufacturing or processing;~~

11 ~~–Ice manufacturing;~~

12 ~~–Concrete products mixing or manufacturing;~~

13 ~~–Foundry;~~

14 ~~–Metalworking or blacksmith shop;~~

15 ~~–Enameling, lacquering, wholesale paint mixing;~~

16 ~~–Woodworking mill or manufacturing of wood fibre, sawdust, or excelsior products.~~

17 (2) ~~In the Restricted Light Industrial Special Use District, the following uses shall require~~
18 ~~conditional use approval pursuant to Section 303(c) and (d) of the Planning Code:~~

19 ~~–Parcel delivery services (as set forth in Planning Code Section 223(g) and (r));~~

20 ~~–Ambulance services (as set forth in Planning Code Section 223(s));~~

21 ~~–Storage for commercial vehicles (as set forth in Planning Code 223(t) and (u));~~

22 ~~–Cold storage plant (as set forth in Planning Code Section 225(g));~~

23 ~~In addition to the criteria for conditional use review already stated in Section 303, conditional~~
24 ~~use review for any new development in this special use district shall also consider the following issues:~~

25 ~~(A) The impact on human health imposed by soil toxicity;~~

1 ~~(B) Mitigation of adverse environmental impacts of industry on housing or open space~~
2 ~~(including but not limited to: noise, trash, dust);~~

3 ~~(C) Conflict between industrial vehicular traffic and residential uses;~~

4 ~~(D) Impacts of spillover parking from adjacent uses that generate high parking demands;~~

5 ~~(E) Compatibility of appearance and landscaping with residential or parks;~~

6 ~~(F) Any other related problems or issues resulting from the conflict of different land use~~
7 ~~activities in this area.~~

8 ~~(3) Enforcement. All requirements of Article 1.7 of the City Planning Code with regard to~~
9 ~~enforcement and compliance with these restrictions shall be monitored by the Zoning Administrator in~~
10 ~~cooperation with the Department of Building Inspection and the Department of Public Health.~~
11 ~~Specifically, termination of legal nonconforming uses and abatement of illegal uses will be pursued to~~
12 ~~the extent permitted by the Municipal Code.~~

13 **SEC. 263.2. Reserved. SPECIAL EXCEPTIONS: NORTH OF FERRY BUILDING.**

14 ~~(a) In the 84 X-1 Height and Bulk District as designated on Sectional Map No. 1H of the~~
15 ~~Zoning Map, height exceptions may be approved by the Planning Commission in appropriate cases as~~
16 ~~provided herein. The purpose of providing for such exceptions is to encourage greater flexibility in~~
17 ~~project design and a gradual stepping down of the height of buildings from The Embarcadero toward~~
18 ~~the Bay. As used in this Section, a "project area" shall be defined as the area between the north or east~~
19 ~~curbline of The Embarcadero (generally 60 feet inland from the water front line) and the Pier Head~~
20 ~~Line, with boundaries as set by the Port Commission in any agreement entered into with a developer.~~

21 ~~(b) Such height exceptions may be permitted, provided that:~~

22 ~~(1) The height of the building or structure so approved by the Planning Commission shall not~~
23 ~~exceed 125 feet; and~~

24 ~~(2) Within this 125 foot maximum, there shall be a limitation on permitted building volume~~
25 ~~located above the basic height limit of 84 feet, calculated as the product of 41 feet (the difference~~

1 ~~between 125 feet and 84 feet) and 15 percent of the project area. For purposes of the foregoing~~
2 ~~calculation only, the project area may include part or all of the adjacent 65 D-1 Height and Bulk~~
3 ~~District as well as part or all of the 84 X-1 Height and Bulk District.~~

4 ~~(c) In acting upon any application under this Section, the Planning Commission shall consider~~
5 ~~the following criteria in addition to those stated in Section 303(c):~~

6 ~~(1) The development criteria for the Waterfront Special Use District No. 1, as set forth in~~
7 ~~Section 240.1; and~~

8 ~~(2) The siting of buildings or structures so that higher elements are located nearest The~~
9 ~~Embarcadero and lower elements outward from the Embarcadero toward the Bay, with a gradual~~
10 ~~stepping down in height.~~

11 ~~(d) No exception from the height limit shall be permitted in the 65 D-1 Height and Bulk District~~

12 **SEC. 263.3. Reserved. SPECIAL EXCEPTIONS: SOUTH OF FERRY BUILDING.**

13 ~~(a) In the 84 X-2 Height and Bulk District as designated on Sectional Map No. 1H of the~~
14 ~~Zoning Map, height exceptions may be approved by the Planning Commission in appropriate cases as~~
15 ~~provided herein. The purpose of providing for such exceptions is to encourage greater flexibility in~~
16 ~~project design. As used in this Section, a "project area" shall be defined as the area between the north~~
17 ~~or east curblines of The Embarcadero (generally 60 feet inland from the waterfront line) and the Pier~~
18 ~~Head Line with boundaries as set by the Port Commission in any agreement entered into with a~~
19 ~~developer.~~

20 ~~(b) Such height exceptions may be permitted, provided that:~~

21 ~~(1) The height of the building or structure so approved by the Planning Commission shall not~~
22 ~~exceed 175 feet; and~~

23 ~~(2) Within this 175-foot maximum, there shall be a limitation on permitted building volume~~
24 ~~located above the basic height limit of 84 feet, calculated as the product of 91 feet (the difference~~
25 ~~between 175 feet and 84 feet) and 10 percent of the project area.~~

1 (c) ~~In acting upon any application under this Section, the Planning Commission shall consider~~
2 ~~the following criteria in addition to those stated in Section 303(c):~~

3 (1) ~~The development criteria for the Waterfront Special Use District No. 1 as set forth in~~
4 ~~Section 240.1; and~~

5 (2) ~~The siting of buildings or structures so that higher elements are located nearest The~~
6 ~~Embarcadero and lower elements outward from The Embarcadero toward the Bay, with a gradual~~
7 ~~stepping down in height.~~

8
9 Section 3. The San Francisco Planning Code is hereby amended by amending
10 Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799 and 899, to read as follows:

11 **SEC. 102.5. DISTRICT.**

12 A portion of the territory of the City, as shown on the Zoning Map, within which certain
13 regulations and requirements or various combinations thereof apply under the provisions of
14 this Code. The term "district" shall include any use, special use, height and bulk, or special
15 sign district. ~~The classes of use districts are described in Section 201 of this Code. term "R District"~~
16 ~~shall mean any RH 1(D), RH 1, RH 1(S), RH 2, RH 3, RM 1, RM 2, RM 3, RM 4, RTO, RTO M, RC 1,~~
17 ~~RC 2, RC 3, RC 4 or RED District. The term "C District" shall mean any C 1, C 2, C 3, or C M~~
18 ~~District. The term "RTO District" shall be that subset of R Districts which are the RTO and RTO M~~
19 ~~District. The term "M District" shall mean any M 1 or M 2 District. The term "PDR District" shall~~
20 ~~mean any PDR 1 B, PDR 1 D, PDR 1 G, or PDR 2 District. The term "RH District" shall mean any~~
21 ~~RH 1(D), RH 1, RH 1(S), RH 2, or RH 3 District. The term "RM District" shall mean any RM 1, RM 2,~~
22 ~~RM 3, or RM 4 District. The term "RC District" shall mean any RC 1, RC 2, RC 3, or RC 4 District.~~
23 ~~The term "C 3 District" shall mean any C 3 O, C 3 R, C 3 G, or C 3 S District. For the purposes of~~
24 ~~Section 128 and Article 11 of this Code, the term "C 3 District" shall also include the Extended~~
25 ~~Preservation District designated on Section Map 3SU of the Zoning Map. The term "NC District" shall~~

1 mean any NC 1, NC 2, NC 3, NC T, NC S, and any Neighborhood Commercial District and
 2 Neighborhood Commercial Transit District identified by street or area name in Section 702.1. The term
 3 "~~NCT~~" shall mean any district listed in Section 702.1(b), including any NCT 1, NCT 2, NCT 3 and any
 4 Neighborhood Commercial Transit District identified by street or area name. The term "Mixed Use"
 5 District shall mean all Chinatown Mixed Use, South of Market Mixed Use, Eastern Neighborhoods
 6 Mixed Use, and Downtown Residential Districts. The term "Chinatown Mixed Use District" shall mean
 7 any Chinatown CB, Chinatown VR, or Chinatown R/NC District named in Section 802.1. The term
 8 "~~South of Market Mixed Use Districts~~" shall refer to all RED, RSD, SLR, SLI, or SSO Districts named
 9 in Section 802.1. The term "~~Eastern Neighborhoods Mixed Use Districts~~" shall refer to all SPD, MUG,
 10 MUO, MUR, and UMU named in Section 802.1. The term "~~DTR District~~" or "~~Downtown Residential~~
 11 ~~District~~" shall refer to any Downtown Residential District identified by street or area name in Section
 12 825, 827, 828, and 829. The term "~~PM District~~" or "~~Parlanereed District~~" shall refer to any PM R, PM
 13 MU1, PM MU2, PM S, PM CF, or PM OS District named in Section 249.64. The terms "~~TI District~~"
 14 and "~~YBI District~~" shall refer to any TI R, TI MU, TI OS, TI PCI, YBI R, YBI MU, YBI OS, YBI PCI,
 15 as set forth in Section 249.52.

16 **SEC. 121.3. DEVELOPMENT OF ~~ON~~ LARGE LOTS, CHINATOWN MIXED USE**
 17 **DISTRICTS.**

18 In order to promote, protect, and maintain a scale of development which is appropriate
 19 to each Mixed Use District and complementary to adjacent buildings, new construction or
 20 enlargement of existing buildings on lots larger than the square footage stated in the table
 21 below shall be permitted as conditional uses subject to the provisions set forth in Section 303.

District	Lot Size Limits
<i>Chinatown</i>	5,000 sq. ft.
<i>Chinatown</i> Community Business	

1 Chinatown Residential/Neighborhood Commercial

2 Chinatown Visitor Retail

3
4 In addition to the criteria of Section 303(c), the ~~City~~ Planning Commission shall
5 consider the following criteria:

6 (1) The mass and facade of the proposed structure are compatible with the existing
7 scale of the district.

8 (2) The facade of the proposed structure is consistent with design features of adjacent
9 facades that contribute to the positive visual quality of the district.

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

11 In order to carry out the purposes and provisions of this Code, the City is hereby
12 divided into the following classes of use districts:

Public Use Districts (P)	
Residential Districts	
RH-1(D)	Residential, House Districts, One-Family (Detached Dwellings)
RH-1	Residential, House Districts, One-Family
RH-1(S)	Residential, House Districts, One-Family with Minor Second Unit
RH-2	Residential, House Districts, Two-Family
RH-3	Residential, House Districts, Three-Family
RM-1	Residential, Mixed Districts, Low Density
RM-2	Residential, Mixed Districts, Moderate Density
RM-3	Residential, Mixed Districts, Medium Density
RM-4	Residential, Mixed Districts, High Density
<u>RTO</u>	<u>Residential, Transit-Oriented Neighborhood Districts</u>
<u>RTO-M</u>	<u>Residential, Transit-Oriented – Mission Neighborhood Districts</u>
Residential-Commercial Districts (RC)	
<u>RC-1</u>	<u>Residential-Commercial Combined Districts, Low Density</u>
<u>RC-2</u>	<u>Residential-Commercial Combined Districts, Moderate Density</u>
<u>RC-3</u>	<u>Residential-Commercial Combined Districts, Medium Density</u>

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RC-4	Residential-Commercial <i>Combined</i> Districts, High Density
<i>Residential Transit-Oriented Neighborhood Districts</i>	
<i>RTO</i>	<i>Residential, Transit Oriented Neighborhood Districts</i>
<i>RTO-M</i>	<i>Residential Transit Oriented — Mission Neighborhood Districts</i>
Neighborhood Commercial Districts (<u>NC</u>) (Also see Article 7) General Area Districts	
NC-1	Neighborhood Commercial Cluster District
NC-2	Small-Scale Neighborhood Commercial District
NC-3	Moderate-Scale Neighborhood Commercial District
NC-S	Neighborhood Commercial Shopping Center District
Individual Area Districts	
Broadway Neighborhood Commercial District	
Castro Street Neighborhood Commercial District	
Inner Clement Street Neighborhood Commercial District	
Outer Clement Street Neighborhood Commercial District	
Upper Fillmore Street Neighborhood Commercial District	
Haight Street Neighborhood Commercial District	
Inner Sunset Neighborhood Commercial District	
Upper Market Street Neighborhood Commercial District	
North Beach Neighborhood Commercial District	
Pacific Avenue Neighborhood Commercial District	
Polk Street Neighborhood Commercial District	
Sacramento Street Neighborhood Commercial District	
Union Street Neighborhood Commercial District	
24th Street-Noe Valley Neighborhood Commercial District	
West Portal Avenue Neighborhood Commercial District	
Neighborhood Commercial Transit Districts (NCT)	
NCT-1	Neighborhood Commercial Transit Cluster District
NCT-2	Small-Scale Neighborhood Commercial Transit District
NCT-3	Moderate Scale Neighborhood Commercial Transit District
Individual Area Neighborhood Commercial Transit (NCT) Districts	

1	Hayes-Gough NCT
	Upper Market Street NCT
2	Valencia Street NCT
3	24th Street — Mission NCT
	Mission Street NCT
4	SoMa NCT
5	Ocean Avenue NCT
6	Glen Park NCT
7	Neighborhood Commercial Special Use Districts
8	Lakeshore Plaza Special Use District
	Bayshore-Hester Special Use District
9	<i>Mission-Harrington Special Use District</i>
10	North Beach Special Use District
11	<i>1800 Market Community Center Project Special Use District</i>
12	<u>Neighborhood Commercial Restricted Use Districts</u>
13	Taraval Street Restaurant & <i>Fast Food</i> Subdistrict
	Irving Street Restaurant & <i>Fast Food</i> Subdistrict
14	Geary Boulevard <i>Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Fast Food</i> Subdistrict
15	Mission Street <i>Formula Retail Restaurant Fast Food</i> Subdistrict
16	North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict
17	Chestnut Street Financial Subdistrict
18	<u>Neighborhood Commercial Restricted Use Districts</u>
19	Third Street Alcohol Restricted Use District
20	Divisadero Street Alcohol Restricted Use District
21	Lower Haight Street Alcohol Restricted Use District
22	Excelsior Alcohol Restricted Use District
	Lower Haight Street Tobacco Paraphernalia Restricted Use District
23	Fringe Financial Restricted Use District
24	Commercial Districts (C)
	C-1 <i>Neighborhood Shopping Districts</i>
25	C-2 Community Business Districts

1	C-M	Heavy Commercial Districts
	C-3-O	Downtown Office District
2	C-3-R	Downtown Retail District
3	C-3-G	Downtown General Commercial District
4	C-3-S	Downtown Support District
5	Industrial Districts	
6	M-1	Light Industrial Districts
7	M-2	Heavy Industrial Districts
8	PDR-1-B	Production Distribution and Repair — Light Industrial Buffer
9	PDR-1-D	Production Distribution and Repair — Design
10	PDR-1-G	Production Distribution and Repair - General
11	PDR-2	Core Production Distribution and Repair — Bayview
12	Chinatown Mixed Use Districts (Also see Article 8)	
13	CCB	Chinatown Community Business District
14	CR/NC	Chinatown Residential/Neighborhood Commercial District
15	CVR	Chinatown Visitor Retail District
16	South of Market Use Mixed Use Districts (Also see Article 8)	
17	RED	Residential Enclave Districts
18	RSD	Residential Service District
19	SLR	Service/Light Industrial/Residential District
20	SLI	Service/Light Industrial District
21	SSO	Service/Secondary Office District
22	Eastern Neighborhoods Mixed Use Districts (Also see Article 8)	
23	SPD	South Park District
24	MUG	Mixed Use — General
25	MUO	Mixed Use — Office

1	MUR	Mixed Use — Residential
2	UMU	Urban Mixed Use
3	Downtown Residential Districts (<u>DTR</u>) (Also see Article 8)	
4	RH-DTR	Rincon Hill Downtown Residential
5	SB-DTR	South Beach Downtown Residential
6	TB-DTR	Transbay Downtown Residential
7	Mission Bay Districts (<u>MB</u>) (Also see Article 9)	
8	MB-R-1	Mission Bay Lower Density Residential District
9	MB-R-2	Mission Bay Moderate Density Residential District
10	MB-R-3	Mission Bay High Density Residential District
11	MB-NC-2	Mission Bay Small Scale Neighborhood Commercial District
12	MB-NC-3	Mission Bay Moderate Scale Neighborhood Commercial District
13	MB-NC-S	Mission Bay Neighborhood Commercial Shopping Center District
14	MB-O	Mission Bay Office District
15	MB-CI	Mission Bay Commercial-Industrial District
16	MB-H	Mission Bay Hotel District
17	MB-CF	Mission Bay Community Facilities District
18	MB-OS	Mission Bay Open Space District
19	Parkmerced Districts (Also see Section 249.64)	
20	PM-R	Parkmerced Residential District
21	PM-MU1	Parkmerced Mixed Use – Social Heart District
22	PM-MU2	Parkmerced Mixed Use – Neighborhood Commons
23	PM-S	Parkmerced School District
24	PM-CF	Parkmerced Community Fitness District
25	PM-OS	Parkmerced Open Space District
	Treasure Island and Yerba Buena Island Districts (Also see Section 249.52)	
	TI-R	Treasure Island - Residential
	TI-MU	Treasure Island – Mixed Use
	TI-OS	Treasure Island – Open Space
	TI-PCI	Treasure Island - Public/Civic/Institutional
	YBI-R	Yerba Buena Island - Residential

1	YBI-MU	Yerba Buena Island – Mixed Use
2	YBI-OS	Yerba Buena Island – Open Space
3	YBI-PCI	Yerba Buena Island - Public/Civic/Institutional

4 In addition to the classes of use districts in the above table, the following terms shall apply:

5 "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,
6 RTO, RTO-M, RC-1, RC-2, RC-3, RC-4, or RED District;

7 "M District" shall mean any M-1 or M-2 District;

8 "PDR District" shall mean any PDR-1-B, PDR-1-D, PDR-1-G or PDR-2 District;

9 "RH District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 District;

10 "RM District" shall mean any RM-1, RM-2, RM-3, or RM-4 District;

11 "RTO District" shall mean any RTO or RTO-M District;

12 "C-3 District" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S District. For the purposes of
13 Section 128 and Article 11 of this Code, the term "C-3- District" shall also include the South of Market
14 Extended Preservation District designated on Section Map SU03 of the Zoning Map;

15 "NCT District" shall mean any district listed in Section 702.1(b), including any NCT-1, NCT-2,
16 NCT-3, and any Neighborhood Commercial Transit District identified by street or area name; and

17 "Mixed Use District" shall mean all Chinatown Mixed use, South of Market Mixed Use, Eastern
18 Neighborhood Mixed use, and Downtown Residential Districts.

19 **SEC 204.2. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN**
20 **RESIDENTIAL DISTRICTS.**

21 No use shall be permitted as an accessory use to a use other than a dwelling in any
22 Residential District which involves or requires any of the following:

23 (a) The use of more than $\frac{1}{4}$ one-fourth of the total floor area occupied by such use and
24 the principal or conditional use to which it is accessory, except in the case of accessory off-
25 street parking and loading;

1 (b) The use of show windows or window displays or advertising to attract customers or
 2 clients, except for an identifying sign and regulated in Article 6 of this Code; or

3 (c) The conduct of any activity of a profit-making or commercial nature, except as an
 4 integral part of the permitted principal or conditional use where such activity is expressly
 5 permitted by Sections 209.1 through 209.9 of this Code.

6 **SEC. 209.9. OTHER USES.**

RH- 1 (D)	RH- 1	RH- 1 (S)	RH- 2	RH- 3	RM- 1	RM- 2	RM- 3	RM- 4	RTO M	RTO- M	RC- 1	RC- 2	RC- 3	RC- 4	
															SEC. 209.9. OTHER USES.
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(a) Sale or lease sign, as defined and regulated by Article 6 of this Code.
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(b) Planned Unit Development, as defined and regulated by Section 304 and other applicable

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																			provisions of this Code.
SEE SECTIONS 205 THROUGH 205.2																	(c) Temporary uses, as specified in and regulated by Sections 205 through 205.2 of this Code.		
															P	P	P	P	(d) Any use as specified in, and regulated by, Sections 209.3(d), (f), (g), (h), (j); 209.4(a), (b); or 209.5(c) of this Code, when located in or below the ground story of a building and not above the ground story.
C	C	C	C	C	C	C	C	C	C	C									(e) Any use listed as a

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principal or conditional use permitted on the ground floor in an ~~RC-1~~ NC-1 District, when located in a structure on a landmark site designated pursuant to Article 10 of this Code, provided that: no Conditional Use shall be authorized under this provision unless (1) such authorization conforms to the applicable provisions of Section 303 of this Code and (2) the specific use so

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																			<i>authorized is essential to the feasibility of retaining and preserving the landmark.</i>
																			<i>— (1) No application for a conditional use under this provision shall be accepted for filing until a period of 180 days shall have elapsed after the date of designation of the landmark; and</i>
																			<i>— (2) No conditional use shall be authorized under this provision unless</i>

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																	<i>such authorization conforms to the applicable provisions of Section 303 of this Code and, in addition, unless the specific use so authorized is essential to the feasibility of retaining and preserving the landmark.</i>
€	€	€	€	€	€	€	€	€	€	€							<i>— (f) Subject to Section 233(a), live/work units in existing structures, including additions and expansions thereof, provided that one or more arts activities as defined in Section</i>

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														102.2 of this Code are the primary nonresidential use within the live/work unit, that other nonresidential activities are limited to those otherwise permitted in the district or otherwise conditional in the district and specifically approved as a conditional use, and further subject to Section 303(e)(6)(B) where that Section applies.
									P	P	P	P		(g) Subject to Section 233(a),

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															<i>live/work units, provided that one or more arts activities as defined in Section 102.2 of this Code are the primary non-residential use within the live/work unit, and that other nonresidential activities are limited to activities otherwise permitted in the district or otherwise conditional in the district and specifically approved as a conditional use.</i>
<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>€</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>(h) Subject to Section 233(a),</i>

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															live/work units, whether or not included above, which satisfy the conditions of Section 233(b) of this Code.	
												P	P	P	P	(i) (g) Arts activities except those uses subject to Sections 209.3(d) or (h).
C	C	C	C	C	C	C	C	C	C	C	C	E	E	C	C	(j) (h) Mortuary and columbarium uses located on a landmark site, and where the site is within a Height and Bulk District of 40 feet or less, and where a

1 Street on the east, Broadway on the South, and Columbus Avenue on the west, as shown on Sectional
2 Map SU01 of the Zoning Map.

3 (c) (b) Controls.

4 (1) **Number of Off-Street Residential Parking Spaces.** Up to three cars for each
5 four dwelling units is a Permitted use; up to one car for each dwelling unit requires a
6 Conditional use, subject to the criteria and procedures of Section 151.1(f); above one car for
7 each dwelling unit is Not Permitted.

8 (2) **Installation of a Parking Garage.** Installation of a garage in an existing residential
9 building of four or more units requires a mandatory discretionary review hearing by the
10 Planning Commission; Section 311 notice is required for a building of less than four units. In
11 approving installation of the garage, the Commission shall find that: (1) the proposed garage
12 opening/addition of off-street parking will not cause the "removal" or "conversion of residential
13 unit," as those terms are defined in Section 317 of this Code; (2) the proposed garage
14 opening/addition of off-street parking will not substantially decrease the livability of a dwelling
15 unit without increasing the floor area in a commensurate amount; (3) the building has not had
16 two or more "no-fault" evictions, as defined in 37.9(a)(7)—(13) of the San Francisco
17 Administrative Code, with each eviction associated with a separate unit(s) within the past ten
18 years, (4) the garage would not front on a public right-of-way narrower than 41 feet, and (5)
19 the proposed garage/addition of off-street parking installation is consistent with the Priority
20 Policies of Section 101.1 of this Code.

21 Prior to the Planning Commission hearing, or prior to issuance of notification under
22 Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the
23 project sponsor attesting to (1), (2), and (3) above, which the Department shall independently
24 verify. The Department shall also have made a determination that the project complies with
25 (4) and (5) above.

1 **SEC. 309.1 PERMIT REVIEW IN DOWNTOWN RESIDENTIAL DISTRICTS.**

2 The provisions and procedures set forth in this Section shall govern the review of
3 project authorization and building and site permit applications for the construction or
4 substantial alteration of structures in Downtown Residential districts, the granting of
5 exceptions to requirements of this Code, and the imposition of modifications necessary to
6 achieve the objectives and policies of the General Plan and the purposes of this Code as
7 provided for in Section ~~827~~ 825 and elsewhere. When any action authorized by this Section is
8 taken, any determination with respect to the proposed project required or authorized pursuant
9 to CEQA may also be considered.

10 (a) **Design Review.**

11 (1) In addition to the standard permit review process, the design of projects greater
12 than 50,000 gross square feet or 85 feet in height shall be subject to design review and
13 approval by Department staff. A detailed design review will be initiated by Department staff
14 working with the project sponsor, at the time an application for 309.1 review or building permit
15 is filed, and may take place in advance of filing a building permit application. This
16 comprehensive review shall resolve issues related to the project's design, including the
17 following:

18 (A) Overall building massing and scale;

19 (B) Architectural treatments, facade design and building materials;

20 (C) The design of lower floors, including building setback areas, townhouses, entries
21 and parking and loading access;

22 (D) On sloping sites, parking provided above ground pursuant to Section ~~827(7)(A)~~
23 825(b)(7)(A);

24 (E) The provision of required open space, both on- and off-site;
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1 (F) Streetscape and other public improvements, including tree planting, street
2 furniture, and lighting;

3 (G) Circulation, including streets, alleys and mid-block pedestrian pathways

4 (H) Other changes necessary to bring a project into conformance with the *Rincon Hill*
5 *Plan and other applicable* elements and area plans of the General Plan.

6 (2) If the project sponsor opposes project modifications and conditions recommended
7 by the Director of Planning pursuant to the design review, the Director shall prepare a report
8 of recommended modifications which shall be presented to the Planning Commission for a
9 hearing pursuant to Subsection (e) and which shall be available to the public upon mail
10 notification of said hearing.

11 (b) **Exceptions.**

12 (1) Exceptions to the following provisions of this Code may be granted as provided for
13 below:

14 (A) Exceptions to the tower separation requirements of Section 270(e), pursuant to the
15 criteria described in Section 270(e)(3) and 270(e)(4).

16 (B) Provision for exceeding an accessory residential parking ratio *principally permitted*
17 *and up to the maximum permitted by Table 151.1 of 0.5 off street car parking spaces per dwelling unit,*
18 *up to a maximum of one car parking space per dwelling unit, pursuant to the criteria described in*
19 *Section 151.1.*

20 (C) Exceptions to the lot coverage requirements of Section ~~827(d)(2)~~ 825(b)(2) for
21 conversions of existing non-residential structures to residential use.

22 (D) Reductions in the dwelling unit exposure requirements of Section 140.

23 (E) Allowing parking access from Folsom Street, pursuant to ~~827(d)(7)~~ 827(a)(8)(A)(ii)
24 and 155(r).

1 (F) Reduction of required on-site residential open space of 36 square feet per unit
2 described in Section ~~827(e)(2)(A)~~ 827(a)(9) to create additional off-site publicly-accessible open
3 space and superior building design.

4 (G) Design, location, and size of publicly-accessible open space as allowed by ~~Section~~
5 ~~827(e)~~ 827(a)(9) and equivalence of proposed publicly-accessible open space in size and
6 quality with required on-site open space.

7 (H) Modifications to the required upper story setback above a height of 45 feet on the
8 north side of mid-block pedestrian pathways as allowed in Section ~~827(d)(4)(C)(i)~~
9 827(a)(5)(C)(i).

10 (I) On development lots larger than ½-acre, minor deviations from the provisions for
11 measurement of height in Sections 260 of the Code as otherwise provided in Section
12 304(d)(6), in cases where the Planning Commission finds that such minor measurement
13 modification is necessary for a project of outstanding overall design, complementary to the
14 design of the surrounding area, and necessary to meet the intent and policies of the relevant
15 area plan of the General Plan.

16 (c) **Hearing and Determination on Design Modifications and Applications for**
17 **Exceptions.**

18 (1) **Hearing.** The Planning Commission shall hold a public hearing for all projects
19 greater than 50,000 gross square feet, for all projects 85 feet in height or greater, and for
20 applications that require exceptions as provided in Subsection (b).

21 (2) **Notice of Hearing.** Notice of such hearing shall be mailed not less than 10 days
22 prior to the date of the hearing to the project applicant, to property owners within 300 feet of
23 the project that is the subject of the application, using for this purpose the names and
24 addresses as shown on the citywide Assessment Roll in the Assessor's Office, and to any
25 person who has requested such notice. Such notice shall also be published at least once in

1 an official newspaper of general circulation at least 10 days prior to the date of the hearing.
2 The notice shall state that the written recommendation of the Director of Planning regarding
3 design modifications to the project and regarding any requests for exceptions is available for
4 public review at the office of the Planning Department.

5 (3) **Director's Recommendations on Modifications and Exceptions.** At the
6 hearing, the Director of Planning shall review for the Commission key urban design issues
7 related to the project based on the design review pursuant to Subsection (a) and recommend
8 to the Commission modifications to the project and conditions for approval as necessary. The
9 Director shall also make recommendations to the Commission on any proposed exceptions
10 pursuant to Subsection (b).

11 (4) **Decision and Imposition of Conditions.** The Commission may, after public
12 hearing and, after making appropriate findings, approve, disapprove or approve subject to
13 conditions, the project and any applications for exception. In addition to the requirements set
14 forth in this Code, additional requirements, modifications, and limitations may be imposed on
15 a proposed project, through the imposition of conditions, in order to achieve the objectives
16 and policies of the General Plan or the purposes of this Code, including any modifications
17 recommended by the Planning Director arising from design review. If pursuant to the
18 provisions of this Section, the Planning Commission determines that conditions should be
19 imposed on the approval of a building or site permit application or an application for
20 exceptions to conform the building to the standards and intent of the Rincon Hill Plan and
21 other elements of the General Plan and the applicant agrees to comply, the Commission may
22 approve the application subject to those conditions.

23 (5) **Appeal.** The decision of the Planning Commission on the granting of any
24 exceptions pursuant to Subsection (b) may be appealed to the Board of Appeals by any
25 person aggrieved within 15 days after the date of the decision by filing a written notice of

1 appeal with that body, setting forth wherein it is alleged that there was an error in the
2 interpretation of the provisions of this Code or abuse of discretion on the part of the Planning
3 Commission.

4 (6) **Decision on Appeal.** Upon the hearing of an appeal, the Board of Appeals may,
5 subject to the same limitations as are placed on the Planning Commission by Charter or by
6 this Code, approve, disapprove or modify the decision appealed from the Planning
7 Commission. If the determination of the Board differs from that of the Commission it shall, in a
8 written decision, specify the error in interpretation or abuse of discretion on the part of the
9 Commission and shall specify in the findings, as part of the written decision, the facts relied
10 upon in arriving at its determination.

11 (7) **Discretionary Review.** No requests for discretionary review, other than through
12 the procedures set forth in this Subsection, shall be accepted by the Planning Department or
13 heard by the Planning Commission for permits in a DTR district.

14 (d) **Change of Conditions.** Authorization of a change in any condition previously
15 imposed pursuant to this Section shall require an application for a change in conditions, which
16 application shall be subject to the procedures set forth in this Section.

17 (e) **Unbuilt Tower Projects; Progress Requirement and Approval Revocation.**

18 (1) Construction of any development in an "R" bulk district containing a building taller
19 than 110 feet (herein referred to as a "tower project") shall commence within 24 months of the
20 date the tower project is first approved by the Planning Commission or Board of Appeals
21 pursuant to the provisions of this Section. For tower projects that contain more than one tower
22 structure, each tower structure shall be considered as a separate phase of development, with
23 a requirement for commencement of construction for each subsequent tower phase of 18
24 months beginning after the Certificate of Final Completion and Occupancy is issued on the
25 previous tower phase. Failure to begin construction work within that period, or thereafter to

1 carry the development diligently to completion, shall be grounds for the Planning Commission
2 to revoke approval of the tower project or phase. Neither the Department of Public Works nor
3 the Board of *Permit* Appeals shall grant any extension of time inconsistent with the
4 requirements of this Subsection (e)(1). For the purposes of this Subsection, "carry the
5 development diligently to completion" shall mean continuous construction work without
6 significant stoppage toward the completion of a tower structure beyond any site clearance,
7 grading, excavation, or demolition of existing buildings on the project site.

8 (2) The Department of Building Inspection shall notify the Planning Department in
9 writing of its approval for issuance and issuance of a site or building permit for any tower
10 project and of the revocation, cancellation, or expiration of any such permit.

11 (3) At the first regularly scheduled Planning Commission meeting after the time period
12 described in Subsection (e)(1) or this Subsection (e)(3) has elapsed for any tower project or
13 tower phase, the Planning Commission shall hold a hearing requiring the tower project
14 sponsor to report on the construction progress of the subject tower project or phase. If the
15 Commission finds that the tower project or phase does not meet the progress requirement of
16 Subsection (e)(1), the Commission may revoke or extend, up to a maximum of 12 months for
17 each extension, the approvals for the tower project or phase.

18 (4) Appeals of Planning Commission decisions pursuant to this Subsection (e) shall be
19 conducted pursuant to the procedures of Subsections (c)(5) and (c)(6).

20 **SEC. 799. OTHER APPLICABLE SECTIONS OF THE ~~CITY~~ PLANNING CODE.**

21 Reference should be made to other sections which also apply to Neighborhood
22 Commercial Districts. These sections and their titles are listed below.

23 General Provisions	
24 Section 101	Purposes

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<i>Section 101.1</i>	<i>General Plan Consistency and Implementation</i>
Section 109	Severability
Definitions	
Sections 102—102.25	Definitions
Zoning Map	
Section 105	Zoning Map
Section 106	Zoning Map Incorporated Herein
Building Standards	
Section 121	Minimum Lot Width
Section 121.1	Development on Large Lots, Neighborhood Commercial Districts
Section 121.2	Use Size Limits (Nonresidential), Neighborhood Commercial Districts
Section 124	Basic Floor Area Ratio
<i>Section 125</i>	<i>Floor Area Premiums, Districts Other than NC and C 3</i>
Section 130	Yard and Setback Requirements
Section 131	Legislated Setback Line
Section 134	Rear Yards, R, NC, C, and M Districts
Section 135	Usable Open Space, R, NC, C, and M Districts
Section 136	Obstructions Over Streets and Alleys and in Required Setbacks, Yards, and Usable Open Space
Section 136.1	Awnings, Canopies, and Marquees <i>in NC Districts</i>

1	<u>Section 138.1</u>	<u>Streetscape and Pedestrian Improvements</u>
2	Section 140	All Dwelling Units <u>in All Use Districts</u> to Face on Open Area, R, NC, and M
3		Districts
4	Section 141	Screening of Rooftop Features R, NC, C, and M Districts
5	Section 142	Screening <u>and Greening</u> of Parking <u>and Vehicle Use</u> Areas, R and NC Districts
6		
7	Section 143	Street Trees, R, NC, C 3 Districts
8	Section 145.1	Street Frontages, <u>in</u> Neighborhood Commercial, <u>Residential-Commercial,</u>
9		<u>Commercial, and Mixed Use</u> Districts
10	Section 145.2	Outdoor Activity Areas and Walk-up Facilities in NC Districts
11		
12	<u>Section 145.4</u>	<u>Required Ground Floor Commercial Uses</u>
13	Parking	
14	Section 150	Off-Street Parking and Loading Requirements
15	Section 151	Schedule of Required Off-Street Parking Spaces
16		
17	<u>Section 151.1</u>	<u>Schedule of Permitted Off-Street Parking Spaces in Specified Districts</u>
18	Section 152	Schedule of Required Off-Street Freight Loading Spaces in District Other than
19		C-3
20	Section 153	Rules for Calculation of Required Spaces
21	Section 154	Minimum Dimensions for Required Off-Street Parking, Freight Loading and
22		Service Vehicle Spaces
23	Section 155	General Standards as to Location and Arrangement of Off-Street Parking,
24		Freight Loading, and Service Vehicle Facilities
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<u>Sections 155.1 to 155.5</u>	<u>Bicycle Parking Requirements</u>
Section 156	Parking Lots
Section 157	Conditional Use Applications for Parking Exceeding Accessory Amounts: Additional Criteria
Section 159	Required Off-Street Parking Not on the Same Lot as the Structure or Use Served
Section 160	Collective Provision and Joint Use of Required Off-Street Parking
Section 161	Exemptions From Off-Street Parking, Freight Loading and Service Vehicle Requirements
Compliance	
Section 170	Applicability of Requirements
Section 171	Compliance of Uses Required
Section 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
Section 173	Compliance of Lots Required
Section 174	Compliance With Conditions, Stipulations, and Special Restrictions Required
Section 175	Approval of Permits
Section 176	Enforcement Against Violations
Section 178	Conditional Uses
Section 179	Uses Located in Neighborhood Commercial Districts
Section 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots of

1		Record: General
2	Section 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction
3	Section 182	Nonconforming Uses: Changes of Use
4	Section 183	Nonconforming Uses: Discontinuance and Abandonment
5	Section 184	Short-term Continuance of Certain Nonconforming Uses
6	Section 185	Continuance of Other Nonconforming Uses
7		
8	<i>Section 186</i>	<i>Exemption of Limited Commercial Nonconforming Uses</i>
9		
10	Section 186.1	Exemption of Nonconforming Uses in Neighborhood Commercial Districts
11	<i>Section 187</i>	<i>Garment Shops and Garment Factories as Nonconforming Uses</i>
12	Section 188	Noncomplying Structures: Enlargements, Alterations and Reconstruction
13	Section 189	Substandard Lots of Record: Construction and Other Actions
14	Uses	
15		
16	Section 201	Classes of Use Districts
17	Section 202	Uses Permitted by This Code
18	Section 203	Effect on Certain Public Services
19	Section 204	Accessory Uses, General
20		
21	Section 204.1	Accessory Uses for Dwellings in R and NC Districts
22	Section 204.4	Dwelling Units Accessory to Other Uses
23	Section 204.5	Parking and Loading as Accessory Uses
24	Section 205	Temporary Uses, General
25		

1	Section 205.1	Temporary Uses, Sixty-day Limit
2	Section 205.2	Temporary Uses, Two-year Limit
3	Section 207.1	Rules for Calculation of Dwelling Unit Densities
4	Section 207.4	Density of Dwelling Units in Neighborhood Commercial Districts
5	Section 208	Density Limitations for Group Housing <i>in R and NC Districts</i>
6	Section 209.1	Dwellings
7	Section 210	Description and Purpose of Commercial and Industrial Districts
8	Section 234	P Districts
9	Section 234.1	Principal Uses Permitted, P Districts
10	Section 234.2	Conditional Uses, P Districts
11	Section 235	Special Use Districts
12	Section 236	Garment Shop Special Use District
13	Height and Bulk	
14	Section 122	Height and Bulk
15	Section 250	Height and Bulk Districts Established
16	Section 251	Height and Bulk Districts: Purposes
17	Section 252	Classes of Height and Bulk Districts
18	Section 253.1	Review of Proposed Buildings and Structures in North Beach and Broadway Neighborhood Commercial Districts
19	Section 260	Height Limits: Measurement

1	<u>Section 261.1</u>	<u>Additional Height Limits for Narrow Streets and Alleys in RTO, NC, NCT, Eastern</u>
2		<u>Neighborhoods Mixed Use, and South of Market Mixed Use Districts</u>
3	Section 262	Additional Height Limits Applicable to Signs
4	Section 270	Bulk Limits: Measurement
5	Section 271	Bulk Limits: Special Exceptions, In Districts Other than C-3
6	Section 295	Height Restrictions on Structures Shadowing Property Under the Jurisdiction of
7		the Recreation and Park Commission
8	Procedures	
9	Section 301	General Description of Zoning Procedures
10	Section 302	Amendments
11	Section 303	Conditional Uses
12	Section 304	Planned Unit Developments
13	Section 304.5	Institutional Master Plans
14	Section 305	Variances
15	Section 306	Applications and Hearings
16	Section 306.1	Applications and Filing Fees
17	Section 306.2	Scheduling of Hearings
18	Section 306.3	Notice of Hearings
19	Section 306.4	Conduct of Hearings
20	Section 306.5	Reconsideration
21	Section 306.6	Initiation of Amendments

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Section 306.7	Interim Zoning Controls
Section 306.8	Posting of Signs Required
Section 307	Other Powers and Duties of the Zoning Administrator
Section 308	Appeals
Section 308.1	Appeals: Amendments and Conditional Uses
Section 308.2	Appeals: Variances and Administrative Actions
Section 313	Housing Requirements for Office Development Projects
Section 314	Child Care Requirements for Office Development Projects (Outside C-3 Districts)
Section 315 <i>316 et seq.</i>	<i>Procedures for Conditional Use Authorization in Neighborhood Commercial Eastern Neighborhoods Mixed Use Districts, and South of Market Mixed Use Districts and for Live/Work Units in RH and RM Districts.</i>
Section 315.1	Applications and Filing Fees
Section 315.2	Zoning Administrator Review, Scheduling of Hearing, and Recommendation
Section 315.3	Notice of Recommendation and Determination
Section 315.4	Request for Reconsideration of Consent Calendar Items at a Public Hearing
Section 315.5	Conduct of Consent Calendar and Determination
Section 315.6	Conduct of Public Hearings and Determination
Section 315.7	Reconsideration
Section 315.8	Appeal
Sections	Permit Review in the San Francisco Coastal Zone Area

1	330—330.18	
2	Fees	
3	Section 350	Fees, General
4	Section 351	Fees for Applications to Establish, Abolish or Modify a Setback Line, to
5		Reclassify Property, to Authorize a Conditional Use, to Consider a Variance, or
6		to Review a Coastal Zone Permit
7	Section 352	Fee for Review of Building Permit Applications
8	Section 353	Fee for Review of Permit Applications Issued by the Fire Department, the
9		Police Department, and the Department of Public Health
10	Section 355	Fees for Reviewing Notices and Special Restrictions
11	Section 356	Fee for Reviewing Proposals Which Cast a Shadow on Recreation and Park
12		Commission Property
13	<u>Article 4</u>	<u>Development Impact Fees and Project Requirements that Authorize the Payment of In-</u>
14		<u>Lieu Fees</u>
15	Signs	
16	Section 601	Special Purposes
17	Sections 602	Special Definitions
18	<i>et seq. —</i>	
19	602.21	
20	Section 603	Exempted Signs
21	Section 604	Permits and Conformity Required
22	Section 607	Commercial and Industrial Districts

1	Section 607.1	Neighborhood Commercial Districts
2	Sections 608	Special Sign Districts
3	<i>et seq.</i> —	
4	608.11	
5	Sections 609	Amortization Periods
6	<i>et seq.</i> —	
7	609.13	
8	Landmarks	
9		
10	Article 10	Preservation of Historical, Architectural and Aesthetic Landmarks (Inclusive)

SEC. 899. OTHER APPLICABLE SECTIONS OF THE *CITY* PLANNING CODE.

Certain sections of the *City* Planning Code in Articles other than this Article also apply to Mixed Use Districts. Such sections and their titles are listed below. The following listing is set forth for convenience; in the event of any omission of a provision, that provision shall nevertheless still apply.

General Provisions

17	Section 101	Purposes
18	Section 101.1	Master <i>General</i> Plan Consistency and Implementation
19	Section 109	Severability

Definitions

22	Sections 102—	Definitions
23	102.28	

Zoning Map

1	Section 105	Zoning Map
2	Section 106	Zoning Map Incorporated Herein
3	Building Standards	
4		
5	<u>Section 121</u>	<u>Minimum Lot Width</u>
6	Section 122	Height and Bulk
7	Section 124	Basic Floor Area Ratio
8	Section 128	Transfer of Development Rights in C-3 Districts
9		
10	<u>Section 130</u>	<u>Yard and Setback Requirements</u>
11	<u>Section 131</u>	<u>Legislated Setback Line</u>
12	<u>Section 134</u>	<u>Rear Yard Requirements</u>
13	<u>Sections 135 –</u>	<u>Usable Open Space</u>
14	<u>135.3</u>	
15	<u>Section 136</u>	<u>Obstructions Over Streets and Alleys and in Required Setbacks, Yards, and Usable</u>
16		<u>Open Spaces</u>
17		
18	<u>Section 136.1</u>	<u>Awnings, Canopies and Marquees</u>
19	<u>Section 138.1</u>	<u>Streetscape and Pedestrian Improvements</u>
20	<u>Section 140</u>	<u>All Dwelling Units in All Zoning Districts to Face on an Open Space</u>
21	<u>Section 141</u>	<u>Screening of Rooftop Features</u>
22		
23	<u>Section 142</u>	<u>Screening of Parking Areas</u>
24	<u>Section 143</u>	<u>Street Trees</u>
25	<u>Section 145.1</u>	<u>Street Frontages in Neighborhood Commercial, Residential-Commercial,</u>

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	<i>Commercial, and Mixed-Use Districts</i>
<i>Section 147</i>	<i>Reduction of Shadows on Certain Public Open Spaces</i>
Section 250	Height and Bulk Districts Established
Section 251	Height and Bulk Districts—Purpose
Section 252	Classes of Height and Bulk Districts
Section 253	Review of Buildings Exceeding 40 Feet in R Districts
Section 260	Height Limits—Method of Measurement
Section 262	Additional Height Limits—Applicable to Signs
Section 263	Height Limits: Special Exceptions
Section 270	Bulk Limits—Measurement
Section 271	Bulk Limits-Special Exceptions
Section 295	Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission
<i>Section 121</i>	<i>Minimum Lot Width</i>
<i>Section 130</i>	<i>Yard and Setback Requirements</i>
<i>Section 131</i>	<i>Legislated Setback Line</i>
<i>Section 134</i>	<i>Rear Yard Requirements</i>
<i>Sections 135</i> <i>135.3</i>	<i>Usable Open Space</i>
<i>Section 136</i>	<i>Obstructions Over Streets and Alleys</i>
<i>Section 136.1</i>	<i>Awnings, Canopies and Marquees</i>

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<i>Section 136.1</i>	<i>Awnings, Canopies and Marquees</i>
<i>Section 141</i>	<i>Screening of Rooftop Features</i>
<i>Section 142</i>	<i>Screening of Parking Areas</i>
<i>Section 143</i>	<i>Street Trees</i>
<i>Section 147</i>	<i>Reduction of Shadows on Certain Public Open Spaces</i>
Parking	
Section 150	Off-Street Parking and Loading Requirements
Section 151	Schedule of Required Off-Street Parking Spaces
Section 152	Schedule of Required Off-Street Freight Loading Spaces
Section 153	Rules for Calculation of Required Spaces
Section 154	Minimum Dimensions for Required Off-Street Parking and Loading Spaces
Section 155	General Standards as to Location and Arrangement of Off-Street Parking and Loading Spaces
<i>Sections 155.1 to 155.5</i>	<i>Bicycle Parking Requirements</i>
Section 156	Parking Lots
Section 157	Conditional Use Applications for Parking Exceeding Accessory Amounts
Section 159	Required Off-Street Parking Not on the Same Lot as Structure or Use Served
Section 160	Collective Provision and Joint Use of Required Off-Street Parking
Section 161	Exemptions from Off-Street Parking, Freight Loading
Section 163	Transportation Management Programs

1 **Signs**

2 Sections 602 *et* Definitions
3 *seq. —602.21*

4 Section 603 Exemptions

5 Section 604 Permits and Conformity

6 Section 606 Residential Districts

7 Section 607.2 Mixed Use Districts

8 Sections 608 *et* Special Sign Districts
9 *seq. —608.1*

10 Section 609 *et* Amortization Period
11 *seq.*

12 *Section 821 South of Market Special General Advertising Sign Districts*

13 **Uses**

14 Section 201 Classes of Use Districts

15 Section 202 Uses Permitted By This Code

16 Section 203 Effect on Certain Public Services

17 Section 204 Accessory Uses, General

18 *Section 204.1 Accessory Uses for Dwellings in R Districts*

19 Section 204.4 Dwelling Units Accessory to Other Uses

20 Section 204.5 Parking and Loading as Accessory Uses

21 Sections 205— Temporary Uses

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205.3	
<i>Section 207</i>	<i>Density of Dwelling Units in R Districts</i>
Section 207.1	Rules for Calculation of Dwelling Unit Densities
Section 207.1 <u>207.5</u>	Density of Dwelling Units in Mixed Use Districts
Section 208	Density Limitations for Group Housing
<i>Section 210</i>	<i>Description and Purpose of Commercial and Industrial Districts</i>
Section 233	<i>Additional Provisions For</i> Live/Work Units
Section 234.2	Conditional Uses, P Districts
Section 235	Special Use Districts
<i>Section 236</i>	<i>Garment Shop Special Use District</i>
Article 10	Preservation of Historical, Architectural and Aesthetic Landmarks (Inclusive)
Section 1106	Article 11 Change of Designation, Designation of Additional Buildings
Procedures	
Section 301	General Description
Section 302	Amendments
Section 303	Conditional Uses
Section 304.5	Institutional Master Plans
Section 305	Variances
Sections 306— 306.8	Applications and Hearings

1	Section 307	Other Powers and Duties of the Zoning Administrator
2	Sections 308—	Appeals
3	308.2	
4	<u>Section 309.1</u>	<u>Permit Review in Downtown Residential Districts</u>
5	<u>Section 316 et</u>	<u>Procedures for Conditional Use Authorization in Neighborhood Commercial Eastern</u>
6	<u>seq.</u>	<u>Neighborhoods Mixed Use Districts, and South of Market Mixed Use Districts and</u>
7		<u>for Live/Work Units in RH and RM Districts.</u>
8		
9	<u>Section 329</u>	<u>Large Project Authorization in Eastern Neighborhoods Mixed Use Districts</u>
10	Fees	
11	Article 3.5	Fees <i>for Services (Inclusive)</i>
12		
13	<u>Article 4</u>	<u>Development Impact and In-Lieu Fees</u>
14	Compliance	
15	Section 170	Applicability of Requirements
16	Section 171	Compliance of Uses Required
17		
18	Section 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
19	Section 173	Compliance of Lots Required
20	Section 174	Compliance with Conditions, Stipulations, and Special Restrictions
21	Section 175	Approval of Permits
22	Section 176	Enforcement Against Violations
23		
24	Section 178	Conditional Uses
25	Section 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots

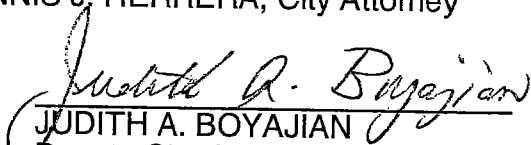
1	Section 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction
2	Section 182	Nonconforming Uses: Changes of Use
3	Section 183	Nonconforming Uses: Discontinuance and Abandonment
4	Section 184	Short-term Continuance of Certain Nonconforming Uses
5	Section 185	Continuance of Other Nonconforming Uses
6	Section 186	Exemption of Limited Commercial Nonconforming Uses
7	Section 187	Garment Shops and Garment Factories as Nonconforming Uses
8	Section 188	Noncomplying Structures: Enlargements, Alterations and Reconstruction

11
12 Section 4. Effective Date. This Ordinance shall become effective 30 days from the
13 date of passage.

14
15 Section 5. This section is uncodified. In enacting this Ordinance, the Board intends to
16 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
17 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
18 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
19 Board amendment deletions in accordance with the "Note" that appears under the official title
20 of the legislation.

21
22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By:


25 JUDITH A. BOYAJIAN
Deputy City Attorney

LEGISLATIVE DIGEST

[Planning Code - Clerical Modifications and Repeal of Obsolete Sections]

Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Existing Law

The Planning Code currently contains a number of sections that are obsolete, contain errors, or require clarification. Clerical modifications include, but are not limited to: correcting spelling errors, correcting incorrect references, removing redundant language, revising Department names, adding titles or headings to sections, correcting tenses, updating references or sections that were missed in previous Code changes, updating outdated language, and similar changes. Minor modifications are changes that make more extensive text changes but do not substantially change the Planning Code or entitlements. These include consolidating all awning and canopy controls into one section, consolidating Vintage Sign controls and Historic Marquee controls into one section, consolidating auto uses in Articles 2 and 8, simplifying definitions, and changing outdated references.

Amendments to Current Law

Staff of the Planning Department estimates that there are about 120 clerical and minor modifications in the proposed ordinance which seek to fix errors in the Code, delete obsolete references, and provide clarification to certain Code sections. These changes are minor and help to make the Code a more usable and effective document.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: John Rahaim, Director, Planning Department
Linda Avery, Secretary, Planning Commission

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: May 17, 2012

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed legislation introduced by Supervisor Chiu on May 8, 2012.

This matter is being referred to your department and commission for informational purposes only since the Planning Commission held a public hearing on March 1, 2012 (BOS File Nos. 110547 and 110548) and recommended approval by Planning Resolution No. 18553.

File No. 120472

Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

If you wish to submit any comments or reports, please forward those to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**SAN FRANCISCO DEPARTMENT OF CITY PLANNING
EXEMPT FROM ENVIRONMENTAL REVIEW**

c: Bill Wycko, Chief, Major Environmental Analysis
Scott Sanchez, Zoning Administrator
AnMarie Rodgers, Manager, Legislative Affairs
Monica Pereira, Environmental Planning
Joy Navarrete, Environmental Planning

*Non-physical exemption per
CEQA Guidelines Section
15060 (c)(2).*

*Joy Navarrete
May 22, 2012*