| 1  | [Planning Code - Office Conversion Controls In Landmark Buildings]  |
|----|---|
| 2  |   |
| 3  | Ordinance amending the Planning Code to place vertical controls on the conversion of  |
| 4  | designated landmark buildings to office use in PDR-1-D and PDR-1-G Districts; and   |
| 5  | making environmental findings, and findings of consistency with the General Plan, and   |
| 6  | the eight priority policies of Planning Code, Section 101.1.  |
| 7  | NOTE: Unchanged Code text and uncodified text are in plain Arial font.  |
| 8  | Additions to Codes are in single-underline italics Times New Roman font.  Deletions to Codes are in strikethrough italics Times New Roman font. |
| 9  | Board amendment additions are in double-underlined Arial font.  Board amendment deletions are in strikethrough Arial font.                      |
| 10 | <b>Asterisks (* * * *)</b> indicate the omission of unchanged Code subsections or parts of tables.  |
| 11 |   |
| 12 | Be it ordained by the People of the City and County of San Francisco:   |
| 13 |   |
| 14 | Section 1.  |
| 15 | (a) The Planning Department has determined that the actions contemplated in this  |
| 16 | ordinance comply with the California Environmental Quality Act (California Public Resources   |
| 17 | Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  |
| 18 | Supervisors in File No and is incorporated herein by reference. The Board of  |
| 19 | Supervisors hereby affirms this determination.  |
| 20 | (b) On, the Planning Commission, in Resolution No, adopted  |
| 21 | findings that the actions contemplated in this ordinance are consistent, on balance, with the   |
| 22 | City's General Plan and eight priority policies of Planning Code Section 101.1. The Board   |
| 23 | adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  |
| 24 | Board of Supervisors in File No, and is incorporated herein by reference.   |
| 25 |   |

Section 2. The Planning Code is hereby amended by revising Section 219, to read as follows:

SEC. 219. OFFICES.

| 1 |  |
|---|--|
| 4 |  |
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| 4      |     |     |           |                   |           |           |           |         |     |     |                              |                                     |             |                |                          |
|--------|-----|-----|-----------|-------------------|-----------|-----------|-----------|---------|-----|-----|------------------------------|-------------------------------------|-------------|----------------|--------------------------|
| 5<br>6 | C-1 | C-2 | C-<br>3-O | C-3-<br>O<br>(SD) | C-<br>3-R | C-<br>3-G | C-<br>3-S | C-<br>M | M-1 | М-2 | PDR-1-G                      | PDR-1-D                             | PDR-<br>1-B | PDR-2          |                          |
| 7      |     |     |           | . ,               |           |           |           |         |     |     |                              |                                     |             |                | SEC. 219.                |
| 1      |     |     |           |                   |           |           |           |         |     |     |                              |                                     |             |                | OFFICES.                 |
| 8      |     |     |           |                   |           |           |           |         |     |     |                              | NP,<br>unless in                    |             |                | (a)<br>Professional      |
| 9      |     |     |           |                   |           |           |           |         |     |     | a desig-                     | a desig-                            |             |                | and                      |
|        |     |     |           |                   |           |           |           |         |     |     |                              | nated all                           |             |                | business<br>offices, as  |
| 10     |     |     |           |                   |           |           |           |         |     |     | mark                         | mark                                |             |                | defined in               |
| 11     |     |     |           |                   |           |           |           |         |     |     |                              | build-<br>ing. P in                 |             |                | 890.70, not more than    |
| 12     | Р   | Р   | Р         | Р                 | Р         | Р         | Р         | Р       | Р   |     | desig-                       | desig-                              | P*#         | P*#            | 5,000 gross              |
|        |     |     |           |                   |           |           |           |         |     |     | nated<br>land-mark           | nated                               |             |                | square feet in size and  |
| 13     |     |     |           |                   |           |           |           |         |     |     |                              | build-                              |             |                | offering on-             |
| 14     |     |     |           |                   |           |           |           |         |     |     |                              | ings <u>.</u>                       |             |                | site services<br>to the  |
| 15     |     |     |           |                   |           |           |           |         |     |     | <u>subject to</u><br>Section | <u>Subject to</u><br><u>Section</u> |             |                | general                  |
| -      |     |     |           |                   |           |           |           |         |     |     | 803.9(h).                    | 803.9(h).                           |             |                | public.                  |
| 16     |     |     |           |                   |           |           |           |         |     |     | NP,<br>unless in             | NP,                                 |             |                | (b)<br>Professional      |
| 17     |     |     |           |                   |           |           |           |         |     |     | a desig-                     | a desig-                            |             |                | and                      |
| 40     |     |     |           |                   |           |           |           |         |     |     |                              | nated all                           |             |                | business<br>offices, as  |
| 18     |     |     |           |                   |           |           |           |         |     |     |                              | mark                                |             |                | defined in               |
| 19     |     |     |           |                   |           |           |           |         |     |     |                              | build-                              |             |                | 890.70,                  |
| 20     | Р   | Р   | Р         | Р                 | С         | Р         | Р         | Р       | Р   |     |                              | ing. P in<br>desig-                 |             |                | larger than 5,000 gross  |
| -      |     |     |           |                   |           |           |           |         |     |     | nated                        | nated                               |             |                | square feet              |
| 21     |     |     |           |                   |           |           |           |         |     |     | land-mark<br>build-          | ıand-mark<br>build-                 |             |                | in size and offering on- |
| 22     |     |     |           |                   |           |           |           |         |     |     | ings <u>,</u>                | ings <u>.</u>                       |             |                | site services            |
| 23     |     |     |           |                   |           |           |           |         |     |     |                              | <u>subject to</u><br>Section        |             |                | to the<br>general        |
|        |     |     |           |                   |           |           |           |         |     |     | 803.9(h).                    | 803.9(h).                           |             |                | public.                  |
| 24     | D   | Р   | D         | D                 | _         | D         | P         | <u></u> | Р   |     |                              | NP,                                 | P           | P              | (c) Other                |
| 25     | ٢   | P   | Р         | Р                 | С         | Р         | ۲         | Р       | P   | Р   | unless in<br>a desig-        |                                     |             | unaer<br>5,000 | professional and         |
|        |     | L   | l         |                   | 1         | l         |           |         |     | I   |                              |                                     |             | 1 '            |                          |

|    |   |   |   |   | <br> |   |   |   |   |                             |                             |                |        |                              |
|----|---|---|---|---|------|---|---|---|---|-----------------------------|-----------------------------|----------------|--------|------------------------------|
| 1  |   |   |   |   |      |   |   |   |   | nated<br>land-              | nated<br>land-              | gsf *#         | gsf*#  | business<br>offices, as      |
| 2  |   |   |   |   |      |   |   |   |   |                             | mark<br>build-              |                |        | defined in 890.70,           |
| 3  |   |   |   |   |      |   |   |   |   |                             | ing. P in<br>desig-         |                |        | above the ground floor.      |
| 4  |   |   |   |   |      |   |   |   |   | nated                       | nated                       |                |        | In the C-3-R                 |
| 5  |   |   |   |   |      |   |   |   |   |                             | land-mark<br>build-         |                |        | District, in addition to     |
|    |   |   |   |   |      |   |   |   |   |                             | ings <u>,</u><br>subject to |                |        | the criteria<br>set forth in |
| 6  |   |   |   |   |      |   |   |   |   | Section                     | Section                     |                |        | Section 303,                 |
| 7  |   |   |   |   |      |   |   |   |   | 803.9(h).                   | 803.9(h).                   |                |        | approval<br>shall be         |
| 8  |   |   |   |   |      |   |   |   |   |                             |                             |                |        | given upon<br>a              |
| 9  |   |   |   |   |      |   |   |   |   |                             |                             |                |        | determination that the       |
| 10 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | use will not detract from    |
| 11 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | the district's primary       |
| 12 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | function as an area for      |
| 13 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | comparison                   |
| 14 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | shopper retailing and        |
|    |   |   |   |   |      |   |   |   |   |                             |                             |                |        | direct<br>consumer           |
| 15 |   |   |   |   |      |   |   |   |   | ND                          | ND                          |                |        | services.                    |
| 16 |   |   |   |   |      |   |   |   |   | unless in                   |                             |                |        |                              |
| 17 |   |   |   |   |      |   |   |   |   |                             | a desig-<br>nated           |                |        | (al) Others                  |
| 18 |   |   |   |   |      |   |   |   |   | land-                       | land-<br>mark               |                |        | (d) Other professional       |
| 19 |   |   |   |   |      |   |   |   |   | build-                      | build-                      |                | Р      | and<br>business              |
| 20 | Р | Р | С | С | С    | С | Р | Р | Р | desig-                      | desig-                      | under<br>5,000 | 5,000  | offices, as defined in       |
| 21 |   |   |   |   |      |   |   |   |   |                             | nated<br>land-mark          |                | gsf *# | 890.70, at or                |
|    |   |   |   |   |      |   |   |   |   | build-                      | build-<br>ings <u>,</u>     |                |        | below the ground floor.      |
| 22 |   |   |   |   |      |   |   |   |   | subject to                  | subject to                  |                |        |                              |
| 23 |   |   |   |   |      |   |   |   |   | <u>Section</u><br>803.9(h). | <u>Section</u><br>803.9(h). |                |        |                              |
| 24 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | Subject to limitations of    |
| 25 |   |   |   |   |      |   |   |   |   |                             |                             |                |        | Section                      |

| 1             |   |                |               |        |        |      |        |       |              |              |          |          | 121.8            |
|---------------|---|----------------|---------------|--------|--------|------|--------|-------|--------------|--------------|----------|----------|------------------|
|               |   |                |               |        |        |      |        |       |              |              |          |          |                  |
| 2             | Section   | n 3. 1         | Γhe F         | Plan   | ning   | Со   | de is  | s he  | reby amen    | ded by rev   | vising S | Section  | 803.9(h), to     |
| 3             | read as follow  | vs:            |               |        |        |      |        |       |              |              |          |          |                  |
| 4             | SEC. 8  | 803.9.         | СО            | ММ     | ERO    | CIAI | L US   | ES    | IN MIXED     | USE DIS      | TRICTS   | S.       |                  |
| 5             | * * * *   |                |               |        |        |      |        |       |              |              |          |          |                  |
| 6             | (h) <b>V</b> e  | ertica         | ıl Coı        | ntro   | ols fo | or C | Offic  | e Us  | ses.         |              |          |          |                  |
| 7<br>8        | ` ,   | (1) P          | urpc          | ose.   | In (   | orde | er to  | pres  | serve grou   | nd floor sp  | ace fo   | r produ  | ıction,          |
|               | distribution, a   | ınd re         | pair ι        | uses   | s and  | d to | allov  | w th  | e preserva   | tion and e   | nhance   | ement (  | of a diverse mi  |
|               | of land uses, including limited amounts of office space on upper stories, additional vertical |                |               |        |        |      |        |       |              |              |          |          |                  |
|               | zoning controls shall govern office uses as set forth in this Section.                        |                |               |        |        |      |        |       |              |              |          |          |                  |
| )             |   | (2) <b>A</b>   | pplic         | cab    | ility. | . Th | nis S  | ecti  | on shall ap  | ply to all o | office u | ses in t | the MUG and      |
|               | UMU Districts   | 8 <i>and a</i> | all off       | fice i | uses   | in b | uildii | ngs i | n the PDR-   | 1-D and Pl   | DR-1-G   | Distric  | ts that are      |
|               | designated as l   | landm          | arks <u>p</u> | purs   | uant   | to S | Sectio | n 10  | of the Plan  | ning Code    | , where  | e permi  | tted.            |
|               |   | (3) <b>D</b>   | efini         | itior  | ıs.    | Offi | ce u   | se s  | hall be as   | defined in   | Sectio   | n 890.7  | 70 of this Code  |
|               |   | (4) <b>C</b>   | ontr          | ols.   |        |      |        |       |              |              |          |          |                  |
|               |   |                | (A)           | De     | sigı   | nate | ed O   | ffice | Story or     | Stories.     | Office   | uses aı  | re not permitted |
|               | on the ground   | d floor        | , exc         | ept    | as s   | spec | cified | in S  | Sections 8   | 40.65A an    | d 843.6  | 65A. O   | ffice uses may   |
|               | be permitted  | on sto         | ories         | abo    | ve t   | he g | grour  | nd fl | oor if they  | are desigr   | nated a  | s office | e stories. On ar |
|               | designated of   | ffice s        | tory,         | offi   | ce u   | ses  | are    | perr  | nitted, sub  | ject to any  | applic   | able us  | se size          |
|               | limitations. Or   | n any          | story         | y no   | t de   | sign | ated   | las   | an office s  | tory, office | e uses   | are not  | permitted.       |
| ]<br><u>2</u> | When an offic   | ce use         | e is p        | erm    | ittec  | on   | the    | grou  | and floor p  | er Section   | s 840.6  | 65A an   | d 843.65A, it    |
|               | shall not be c  | onsid          | ered          | a d    | esig   | nate | ed of  | fice  | story for th | ne purpose   | es of S  | ubsecti  | on (h)(4)(D)     |
| ,<br>1        | below.  |                |               |        |        |      |        |       |              |              |          |          |                  |

(B) **Timing of Designation.** In the case of new construction, any designated office story or stories shall be established prior to the issuance of a first building permit or along with any associated Planning Commission action, whichever occurs first. In the case of buildings that were constructed prior to the effective date of this Section, any such story or stories shall be designated prior to the issuance of any building permit for new or expanded office uses or along with any associated Planning Commission action, whichever occurs first.

(C) **Recordation of Designation.** Notice of the designation of office stories shall be recorded as a restriction on the deed of the property along with plans clearly depicting the designated story or stories in relation to the balance of the building. A designated office story may only be re-allocated when the designated office story is first returned to a permitted non-office use and associated building modifications to the designated office story are verified by the Zoning Administrator.

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

**Table 803.9(h)** 

| Total Number of | Maximum Number of         |
|-----------------|---------------------------|
| Stories         | Designated Office Stories |
| 1-story         | 0 stories (office use NP) |
| 2 - 4 stories   | 1-story                   |

| 1  | 5 - 7 stories             | 2-stories                      |   |
|----|---------------------------|--------------------------------|---|
| 2  | 8 or more stories         | 3-stories                      |   |
| 3  |                           | •                              |   |
| 4  |                           | (E) For projects in MUG and    | d UMU Districts with multiple buildings,          |
| 5  | consolidation of pe       | rmitted office stories may be  | permitted, pursuant to the controls set forth in  |
| 6  | 329(d)(8).                |                                |   |
| 7  | * * * *                   |                                |   |
| 8  |                           |                                |   |
| 9  | Section 4. E              | Effective Date. This ordinanc  | e shall become effective 30 days after            |
| 10 | enactment. Enactn         | nent occurs when the Mayor     | signs the ordinance, the Mayor returns the        |
| 11 | ordinance unsigned        | d or does not sign the ordinar | nce within ten days of receiving it, or the Board |
| 12 | of Supervisors over       | rrides the Mayor's veto of the | ordinance.  |
| 13 |                           |                                |   |
| 14 | Section 5. S              | Scope of Ordinance. In enac    | ing this ordinance, the Board of Supervisors      |
| 15 | intends to amend o        | only those words, phrases, pa  | ragraphs, subsections, sections, articles,        |
| 16 | numbers, punctuati        | ion marks, charts, diagrams,   | or any other constituent parts of the Municipal   |
| 17 | Code that are expli       | citly shown in this ordinance  | as additions, deletions, Board amendment          |
| 18 | additions, and Boar       | rd amendment deletions in a    | ccordance with the "Note" that appears under      |
| 19 | the official title of th  | ne ordinance.                  |   |
| 20 |                           |                                |   |
| 21 | APPROVED AS TO            |                                |   |
| 22 | DENNIS J. HERRE           | ERA, City Attorney             |   |
| 23 | Ву:                       |                                |   |
| 24 | VICTORIA V<br>Deputy City |                                |   |

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