[Planning Code - Article 8 Corrections]

Ordinance amending the Planning Code to correct typographical errors, clarify nighttime entertainment restrictions, and update inclusionary affordable housing requirements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and making findings as required by Planning Code, Section 302.

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

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

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 171097 and is incorporated herein by reference. The Board affirms this determination.

(b) On September 7, 2017, the Planning Commission, in Resolution No. 19990, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 171097, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Commission Resolution No. 19990, and the Board incorporates such reasons herein by reference.

Section 2. The Planning Code is hereby amended by revising Sections 823, 827, and 841.26, to read as follows:

SEC. 823. WESTERN SOMA SPECIAL USE DISTRICT.

* * * *

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

* * * *

(9) **Buffers from Nighttime Entertainment and Animal Services.** Additional requirements applicable to nighttime entertainment uses and kennels, as defined in Section 224, are as follows:

(A) **Nighttime Entertainment.** No portion of a *non-accessory* nighttime entertainment use, as defined in Section 102.17 of this Code, shall be permitted within 200 linear feet of any property within a RED or RED-MX District. This buffer shall not apply to any nighttime entertainment use within the WMUO District where a nighttime entertainment use that was established with a building permit application or a permit from the Entertainment Commission or San Francisco Police Department was in operation within five years prior to submission of a building permit application to re-establish a nighttime entertainment use.

* * * *

SEC. 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (RH-DTR).

(a) **Building Standards.**

* * * *

(3) **Required Streetwall.** Building area below 85 feet in height is required to be built to 100 percent of all property ~~*liens*~~ *lines* facing public rights-of-way, except where setbacks are required by this Section and except where publicly accessible open space is provided according to the provisions of this Section. Recesses, insets and breaks between buildings are permitted to provide vertical articulation to the facade, provided the overall integrity of the streetwall is maintained.

* * * *

SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.

* * * *

Table 841

MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE

No.	*Zoning Category*	*§ References*	*Mixed Use-Residential District* Controls
Building and Siting Standards			
* * * *	* * * *	* * * *	* * * *
841.26	**Affordability Requirements**	**§ 415**	~~*15% onsite/20% off-site*~~ *Restrictions apply, see Section 415*
* * * *	* * * *	* * * *	* * * *

* * * *

Section 3. 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 4. 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.

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

By: _____
KATE H. STACY
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 171097 **Date Passed:** January 30, 2018

Ordinance amending the Planning Code to correct typographical errors, clarify nighttime entertainment restrictions, and update inclusionary affordable housing requirements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and making findings as required by Planning Code, Section 302.

January 08, 2018 Land Use and Transportation Committee - RECOMMENDED

January 23, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

January 30, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 171097

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 1/30/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mark E. Farrell
Mayor

2/9/18
Date Approved