



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Planning Code Text Amendment Initiation

INITIATION HEARING DATE: MARCH 8, 2018

*Project Name:* 2018 Code Corrections Ordinance  
*Case Number:* 2017-014297PCA  
*Initiated by:* Planning Commission  
*Staff Contact:* David Brosky, Assistant Planner  
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*Reviewed by:* Aaron Starr, Manager of Legislative Affairs  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org) / 415-558-6362  
*Recommendation:* **Initiate and Schedule for Adoption on or After April 12, 2018**

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The action before this Commission is initiation of the code amendments described below. Initiation does not involve a decision on the substance of the amendments; it merely begins the required 20-day notice period, after which the Commission may hold a hearing and take action on the proposed Code amendments.

### PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code to correct multiple errors and make clarifying amendments. The corrections are intended to be for textual clarification purposes or replacing provisions that existed prior to the code reorganization effort. They are not considered substantive.

#### The Way It Is Now:

The Planning Code contains multiple grammatical and syntactical errors, unintentional cross-references and accidental additions and deletions that undermine the legitimacy and enforceability of the Planning Code as a regulatory document.

#### The Way It Would Be:

The proposed Ordinance seeks to correct these errors and improve the overall quality and readability of the Code.

### BACKGROUND

The Planning Code experiences frequent amendments. Although individual ordinances are reviewed by the Planning Department and the City Attorney's Office, the volume of legislative actions and complexity of the Code as a legal, living document ensure that errors will inadvertently arise. The Planning Department actively collects these reported errors and from time to time presents them as a Code Corrections Ordinance.

## ISSUES AND CONSIDERATIONS

### Code Reorganization Project

The Code Reorganization project was started in 2014 and is divided into three main phase. The first phase focused on Article 2, the second phase on Article 7, and the third will focus on Article 8. Several of the amendments in this ordinance correct errors or oversights from Phases 1 and 2 of this project. The changes either fix clerical errors or put back provisions that were inadvertently deleted or not carried forward into the new zoning table format. The following are the more substantive corrections:

- In Section 102, the definition of Notice of Special Restriction is being broadened to include more than just projects associated with inclusionary housing.
- In Section 102, Power Plant was left out of the definition of Utility and Infrastructure Uses. It is being added to that definition.
- Section 121.2 is being amended to clarify that NC-3 and NCT-3 Districts have a non-residential use size limit of 6000 sq. ft.
- In Section 121.6, Hotels and Motels are being excluded from the city-wide retail size limits. They were not included in this cap prior to Phase 1 of the Code Reorganization Project.
- Section 145 is being modified to allow for exception in Commercial Districts (C-3 and C-2) via Conditional Use authorization to the ground floor commercial uses requirement.
- Section 202.2 is being amended to clarify that Design Professionals are required to be open to the public if located on the ground floor in NC Districts.
- Section 209.2 and 209.3 are being amended to put back the provision that allows a minimum of three units on any RM or RC zoned property. This provision was not carried over to the new format during Phase 1 of the Code Corrections ordinance.
- Section 210.1 is being amended to allow Outdoor Entertainment uses in C-2 Districts. This use was allowed prior to Phase 1 of the Code Reorganization project.
- Section 710, NC-1 District, is being amended to add a reference to the Taraval Street Restaurant Subdistrict. This reference was no carried over into the new format.
- Various References to old Article 7 definitions (Section 790) are being removed and replaced with the new Section 102 reference. There are also some clerical errors in the tables that are being corrected.

### Cannabis Ordinance

San Francisco recently adopted land use regulation for cannabis related businesses. The changes in this ordinance related to the cannabis ordinance are mainly clean-up, such as deleting provisions that were made obsolete by the new regulations or other clerical corrections. The following are the more substantive corrections:

- Sec. 202.2(e)(1) is being amended to clarify that Medical Cannabis Dispensaries are subject to Planning Code Section 312 and require Mandatory Discretionary Review only when located in Neighborhood Commercial Zoning Districts. Old language that required Mandatory DR city wide and a different noticing requirement were not deleted as part of the Cannabis Ordinance.

- Sec. 205.2(e) is being amended to make the distinction that Temporary Cannabis Retail Use is the only type of Temporary Use allowed for the sale of cannabis or cannabis products.

**Publisher Corrections**

After every ordinance, the code publisher sends the City Attorney’s Office a list of errors they encountered in the process of publishing the Code. These usually include outdated section references, missing words, typos and the like. This ordinance includes many of these types of corrections.

**RECOMMENDATION**

The Department recommends that the Commission recommend approval of the resolution of intent to initiate the Planning Code amendments on or after March 8, 2018.

**BASIS FOR RECOMMENDATION**

This Ordinance is intended to correct identified errors in the Code. Although these are considered minor errors, they cannot be corrected without a legislative change.

**REQUIRED COMMISSION ACTION**

The proposed Ordinance is before the Commission so that it may initiate the proposed Ordinance and schedule a time for the Ordinance to be heard for adoption.

**IMPLEMENTATION**

The Department determined that this Ordinance will not impact our current implementation procedures.

**ENVIRONMENTAL REVIEW**

Staff anticipates that the proposed ordinance will not be considered a project under CEQA. A formal CEQA determination will be conducted prior to the Commission’s final action.

**PUBLIC COMMENT**

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

<b>RECOMMENDATION:</b> <b>Initiate and Schedule for Adoption</b>
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# SAN FRANCISCO PLANNING DEPARTMENT

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## Draft Planning Commission Resolution

HEARING DATE: MARCH 8, 2018

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**INITIATING AMENDMENTS TO THE PLANNING CODE TO CORRECT ERRORS, UPDATE THE CODE, AND MAKE NONSUBSTANTIVE LANGUAGE REVISIONS TO SIMPLIFY AND CLARIFY TEXT; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.**

### PREAMBLE

WHEREAS, on July 18, 2015, the Planning Director requested that amendments be made to the Planning Code under Case Number 2017-014297PCA; and

WHEREAS, the proposed Planning Code text changes would amend several sections of the Code as outlined in the draft Ordinance and incorporated herein; and

WHEREAS, due to multiple changes to the Planning Code, over time text has been dropped inadvertently, amendments made by one ordinance are not reflected in subsequent legislation, and citations have become out of date.; and

WHEREAS, the proposed legislation is intended to resolve the aforementioned issues; and

WHEREAS, a substantial portion of the proposed changes in the ordinance can be classified as "good government" measures meant to improve the clarity of the Planning Code, and

WHEREAS, such changes are meant to improve the ability of decision makers, Department staff, and the public to understand, interpret, and implement the requirements of the Code, and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider initiation of the proposed Ordinance on March 8, 2018; and

WHEREAS, the Environmental Review will be completed prior to the Commission taking action on this item; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance:

**MOVED**, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution to initiate amendments to the Planning Code.

**AND BE IT FURTHER RESOLVED**, that pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Planning Code amendments contained in the draft ordinance, approved as to form by the City Attorney in Exhibit A, to be considered at a publicly noticed hearing on or after **April 12, 2018**.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on March 8, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

DATE:

1 [Planning Code -Technical Amendments]

2

3 **Ordinance amending the Planning Code in order to correct errors and update outdated**  
4 **references; affirming the Planning Department’s determination under the California**  
5 **Environmental Quality Act; making findings of consistency with the General Plan and**  
6 **the eight priority policies of Planning Code, Section 101.1; and adopting findings of**  
7 **public necessity, convenience, and general welfare under Planning Code, Section 302.**

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

12

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

14

15 Section 1. Findings.

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

21 (b) On \_\_\_\_\_2018, the Planning Commission, in Resolution No.  
22 \_\_\_\_\_, adopted findings that the actions contemplated in this ordinance are  
23 consistent, on balance, with the City’s General Plan and eight priority policies of Planning  
24 Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is  
25

1 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated  
2 herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
4 ordinance will serve the public necessity, convenience, and general welfare for the reasons  
5 set forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board adopts said  
6 reasons hereby by reference.  
7

8 Section 2. The Planning Code is hereby amended by revising Sections 102, 121.2,  
9 121.6, 145.1, 145.4, 149, 151, 151.1, 155.2, 177, 186, 186.1, 187.1, 191, 201, 202.2, 204.5,  
10 205.2, 206.2, 206.3, 206.4, 206.5, 206.6, 206.8, 207, 209.2, 209.3, 210.1, 211.1, 249.52,  
11 249.70, 249.76, 303.1, 312, 401, 413.3, 415.3, 423.5, 703, 710, 711, 712, 723, 726, 728, 814,  
12 and 846, to read as follows:

13 **SEC. 102. DEFINITIONS.**

14 \* \* \* \*

15 **Accessory Use.** A related minor Use that is either necessary to the operation or enjoyment  
16 of a lawful Principal Use or Conditional Use, or appropriate, incidental, and subordinate to any  
17 such use, and is located on the same lot. Accessory Uses are regulated Sections 204 through  
18 204.5 and Sections 703(d), ~~and~~ 803.2(b)(1)(C), 803.3(b)(1)(C), and 825(c)(1)(C) of this Code.

19 \* \* \* \*

20 **Arts Activities.** A Retail Entertainment, Arts and Recreation Use that includes performance,  
21 exhibition (except exhibition of films), rehearsal, production, post-production and some  
22 schools of any of the following: Dance, music, dramatic art, film, video, graphic art, painting,  
23 drawing, sculpture, small-scale glassworks, ceramics, textiles, woodworking, photography,  
24 custom-made jewelry or apparel, and other visual, performance and sound arts and craft. It  
25 shall exclude accredited Schools and Post Secondary Educational Institutions. It shall include

1 commercial arts and art-related business service uses including, but not limited to, recording  
2 and editing services, small-scale film and video developing and printing; titling; video and film  
3 libraries; special effects production; fashion and photo stylists; production, sale and rental of  
4 theatrical wardrobes; and studio property production and rental companies. Arts spaces shall  
5 include studios, workshops, archives and theaters, and other similar spaces customarily used  
6 principally for arts activities, exclusive of a Movie Theater, Amusement Game Arcade  
7 Enterprise, Adult Business Entertainment, and any other establishment where liquor is  
8 customarily served during performances.

9 \* \* \* \*

10 **Automotive Use.** A Commercial Use category that includes Automotive Repair, Ambulance  
11 Services, Automobile Sale or Rental, Automotive Service Station, Automotive Wash, Gas  
12 Station, Parcel Delivery Service, Private Parking Garage, Private Parking Lot, Public Parking  
13 Garage, Public Parking Lot, Vehicle Storage Garage, Vehicle Storage Lot, and Motor Vehicle  
14 Tow Service. All Automotive Uses that have Vehicular Use Areas defined in this Section of the  
15 Code shall meet the screening requirements for vehicular use areas in Section 142.

16 **Automotive Use, Non-Retail.** A subcategory of Automotive Use that includes Ambulance  
17 Services, Parcel Delivery Service, Private Parking Garage, Private Parking Lot, and Motor  
18 Vehicle Tow Service.

19 \* \* \* \*

20 **Design Professional.** A Non-Retail Sales and Service Use that provides professional design  
21 services to the general public or to other businesses and includes architectural, landscape  
22 architectural, engineering, interior design, and industrial design services. It does not include  
23 (1) the design services of graphic artists or other visual artists which are included in the  
24 definition of Arts Activities; or (2) the services of advertising agencies or other services which  
25 are included in the definition of Professional Service or Non-Retail Professional Service,

1 Financial Service or Medical Service. Design Professional in Neighborhood Commercial Districts  
2 is subject to the operating restrictions outlined in Section 202.2(i).

3 \* \* \* \*

4 **Industrial Use.** A Use Category ~~continuing~~ containing the following uses: Automobile  
5 Wrecking, Automobile Assembly, Food Fiber and Beverage Processing 1 and 2, Grain  
6 Elevator, Hazardous Waste Facility, Junkyard, Livestock Processing 1 and 2, Heavy  
7 Manufacturing 1,2, and 3, Light Manufacturing, Metal Working, ~~Power Plant~~, Ship Yard,  
8 Storage Yard, Volatile Materials Storage, and Truck Terminal.

9 \* \* \* \*

10 **Notice of Special Restrictions.** A document recorded with the San Francisco Recorder's  
11 Office ~~for any unit subject to this Program~~ detailing specific restrictions placed on an Assessor's lot  
12 that are typically associated with an approval action by the Planning Department, Planning  
13 Commission, Zoning Administrator, or other City agency. ~~the sale and resale or rental restrictions and~~  
14 ~~any restrictions on purchaser or tenant income levels included as a Condition of Approval of the~~  
15 ~~principal project relating to the unit.~~

16 \* \* \* \*

17 **Production, Distribution, and Repair (PDR) Use.** A grouping of uses that includes, but is  
18 not limited, to all Industrial and Agricultural Uses, Ambulance Services, Animal Hospital,  
19 Automotive Service Station, Automotive Repair, Automotive Wash, Arts Activities, Business  
20 Services, Cat Boarding, Catering ~~Service~~, Commercial Storage, Kennel, Motor Vehicle Tow  
21 Service, Livery Stable, Parcel Delivery Service, Public Utilities Yard, Storage Yard, Trade  
22 Office, Trade Shop, Wholesale Sales, and Wholesale Storage.

23 \* \* \* \*

24 **Public Facility.** An Institutional Use that consists of publicly or privately owned use that  
25 provides public services to the community, whether conducted within a building or on an open

1 lot, and which has operating requirements that necessitate location within the district and is in  
2 compliance with the General Plan, including civic structures (such as museums, post offices,  
3 administrative offices of government agencies), public libraries, police stations, and  
4 transportation facilities. Such use shall not include service yards, machine shops, garages,  
5 incinerators, Utility Installations, and publicly operated parking in a garage or lot (Public  
6 Automobile Parking Garages and Public Parking Lots).

7 \* \* \* \*

8 **Tobacco Paraphernalia Establishment.** A Retail Sales and Service Use where more than  
9 10% ~~percent~~ of the square footage of ~~o~~Occupied ~~f~~Floor ~~a~~Area, as defined in Section 102, or  
10 more than 10 linear feet of display area projected to the floor, whichever is less, is dedicated  
11 to the sale, distribution, delivery, furnishing, or marketing of Tobacco Paraphernalia from one  
12 person to another. For purposes of Sections 719, ~~719.1~~, ~~786~~, and 723, ~~and 723.1~~ of this Code,  
13 Tobacco Paraphernalia Establishments shall mean retail uses where Tobacco Paraphernalia  
14 is sold, distributed, delivered, furnished, or marketed from one person to another. "Tobacco  
15 Paraphernalia" means paraphernalia, devices, or instruments that are designed or  
16 manufactured for the smoking, ingesting, inhaling, or otherwise introducing into the body of  
17 tobacco, products prepared from tobacco, or controlled substances as defined in California  
18 Health and Safety Code Sections 11054, *et seq.* "Tobacco Paraphernalia" does not include  
19 lighters, matches, cigarette holders, any device used to store or preserve tobacco, tobacco,  
20 cigarettes, cigarette papers, cigars, or any other preparation of tobacco that is permitted by  
21 existing law. Medical Cannabis Dispensaries, as defined in Section 3301(f) of the San  
22 Francisco Health Code, are not Tobacco Paraphernalia Establishments.

23 \* \* \* \*

24

25

1 **Utility and Infrastructure.** A Use *Category* that includes Community Recycling Center,  
 2 Internet Service Exchange, *Power Plant*, Public Transportation Facility, Public Utilities Yard,  
 3 Wireless Telecommunications Services (WTS) Facility, and Utility Installation.

4 \* \* \* \*

5 **SEC. 121.2. NON-RESIDENTIAL USE SIZE LIMITS IN NEIGHBORHOOD COMMERCIAL**  
 6 **AND NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICTS.**

7 (a) In order to protect and maintain a scale of development appropriate to each  
 8 district, Non-Residential Uses of the same size or larger than the square footage stated in the  
 9 table below may be permitted only as Conditional Uses. The use area shall be measured as  
 10 the Gross Floor Area for each individual Non-Residential Use.

District	Use Size Limits
----------	-----------------

* * * *	* * * *
NC-2, NCT-2	4,000 sq. ft.
<del>NC 3, NCT 3</del>	
Divisadero Street	
Folsom Street	
Glen Park	
Irving Street	
Judah Street	
Noriega Street	
Ocean Avenue	

1	SoMa	
2	Taraval Street	
3	<i>NC-3, NCT-3</i>	
4	Excelsior Outer Mission Street	
5	Fillmore Street	6,000 sq. ft.
6	Mission Street	
7	NC-S	
8	Regional Commercial District	10,000 sq. ft.
9		

10 \* \* \* \*

11

12 **SEC. 121.6. LARGE-SCALE RETAIL USES.**

13 \* \* \* \*

14 (e) For purposes of this Section:

15 (1) "sales floor area" includes only interior building space devoted to the sale  
 16 of merchandise, and does not include restrooms, office space, storage space, automobile  
 17 service areas, or open-air garden sales space;:-

18 (2) "non-taxable merchandise" includes only grocery products not subject to  
 19 California State sales tax;:- *and*

20 (3) "single retail use" shall include all Retail and Service Uses listed in Section 102  
 21 and retail uses identified in Article 8 of this Code except for Hotels and Motels.

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

24 \* \* \* \*

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

4 \* \* \* \*

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

7 (A) All ground floor uses in UMU Districts shall have a minimum floor-  
8 to-floor height of 17 feet, as measured from grade. Ground floor Residential Uses shall also  
9 be designed to meet the City's *Guidelines for* Ground Floor Residential Design *Guidelines*.

10 (B) Ground floor Non-Residential Uses in all C-3, NCT, DTR,  
11 Chinatown Mixed Use, RSD, SLR, SLI, SPD, SSO, RED-MX, WMUG, MUG, MUR, WMUO  
12 and MUO Districts shall have a minimum floor-to-floor height of 14 feet, as measured from  
13 grade.

14 (C) Ground floor ~~Non-Residential~~ ~~Uses~~ in all RC districts, C-2  
15 districts, RED districts, and NC districts other than NCT, shall have a minimum floor-to-floor  
16 height of 14 feet, as measured from grade except in 40-foot and 50-foot height districts, where  
17 buildings shall have a minimum floor-to-floor height of 10 feet.

18 \* \* \* \*

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

1 \* \* \* \*

2 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

3 \* \* \* \*

4 (e) **Modifications.** Modifications to the requirements of this Section are not  
5 permitted in DTR Districts. In Neighborhood Commercial *and Commercial* Districts,  
6 modifications to the requirements of this Section may be granted through the Conditional Use  
7 process, as set forth in Section 303. In the Eastern Neighborhoods Mixed Use Districts,  
8 modifications to the requirements of this Section may be granted through the procedures of  
9 Section 329 for projects subject to that Section or through an Administrative Modification from  
10 the Zoning Administrator for other projects, as set forth in Section 307(g).

11 **SEC. 149. BETTER ROOFS; LIVING ROOF ALTERNATIVE.**

12 \* \* \* \*

13 (e) **Waiver.** If the project sponsor demonstrates to the Zoning Administrator's  
14 satisfaction that it is physically infeasible to meet the Living Roof requirements as written for  
15 the project in question, the Zoning Administrator may, in his or her sole discretion and  
16 pursuant to the procedures set forth in Planning Code Section 307(h), grant partial relief from  
17 the requirements stated in subsection (d) where the design of the Better Roof is within 10%  
18 ~~percent~~ of any quantitative requirements. The requirements of CCR Title 24, Part 6, Section  
19 110.10 for the solar zone shall remain applicable.

20 **SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.**

21 \* \* \* \*

22 (b) **Minimum Parking Required.**

Table 151

OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
<b>RESIDENTIAL USES</b>	
* * * *	
Senior <del>H</del> Housing, as defined in Section 102 of this Code, or <i>housing for</i> persons with physical disabilities, as defined in the Americans with Disabilities Act.	None in districts other than RH-1 and RH-2. In RH-1 and RH-2 Districts, one-fifth the number of spaces specified above for the district in which the dwelling is located.
<i>Homeless Shelters</i>	<i>None required</i>
* * * *	
<b>NON-RESIDENTIAL USES</b>	
* * * *	
<b>Industrial Use Category</b>	
* * * *	
<i>Homeless Shelters</i>	<i>None required</i>
* * * *	
Residential Care Facility	None in districts other than RH-1 and RH-2. In RH-1 and RH-2 Districts, one for 10 <sub>7</sub> beds where the number of beds exceeds nine.
* * * *	

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

3 (a) **Applicability.** This Section 151.1 shall apply only to NCT, RC, RCD, RTO,  
 4 Mixed Use, M-1, PDR-1-D, PDR-1-G, and C-3 Districts, and to the Broadway, Excelsior Outer  
 5 Mission Street, Japantown, North Beach, Polk, and Pacific Avenue Neighborhood Commercial  
 6 Districts.1

7 \* \* \* \*

8 **Table 151.1**

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

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
* * * *	* * * *
Dwelling Units in C-3 Districts	P up to one car for each two Dwelling Units; C up to, 0.75 cars for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(e); NP above three cars for each four Dwelling Units.

19 \* \* \* \*

20 (e) **Excess Residential Parking.** Any request for accessory residential parking, in  
 21 excess of what is principally permitted in Table 151.1, shall be reviewed by the Planning  
 22 Commission as a Conditional Use. In MUG, WMUG, MUR, MUO, RED, RED-MX, and SPD  
 23 Districts, any project subject to Section 329 and that requests residential accessory parking in  
 24 excess of that which is principally permitted in Table 151.1, but which does not exceed the  
 25 maximum amount stated in Table 151.1, shall be reviewed by the Planning Commission

1 according to the procedures of Section 329. Projects that are not subject to Section 329 shall  
 2 be reviewed under the procedures detailed in subsection (f) below.

3 \* \* \* \*

4 **SEC. 155.2. BICYCLE PARKING: APPLICABILITY AND REQUIREMENTS FOR SPECIFIC**  
 5 **USES.**

6 \* \* \* \*

Table 155.2		
Bicycle Parking Spaces Required		
Use	Minimum Number of Class 1 Spaces Required	Minimum Number of Class 2 Spaces Required
<b>Residential Uses</b>		
* * * *	* * * *	* * * *
Group Housing (including SRO Units and Student Housing that are Group Housing; Homeless Shelters are exempt)	One Class 1 space for every four beds. For buildings containing over 100 beds, 25 Class 1 spaces plus one Class 1 space for every five beds over 100. Group housing that is also considered Student Housing per Section 102.36 shall provide 50% <del>percent</del> more spaces than would otherwise be required.	Minimum two spaces. Two Class 2 spaces for every 100 beds. Group Housing that is also considered Student Housing shall provide 50% <del>percent</del> more spaces than would otherwise be required.
* * * *	* * * *	* * * *

1     **SEC. 177. LEGITIMIZATION OF CERTAIN MASSAGE ESTABLISHMENTS.**

2             ~~(a) — **Intent.** The purpose of this Section 177 is to establish~~ed a time-limited program  
3     whereby existing Massage Establishments that have operated without required permits may  
4     seek those permits. Pursuant to its terms, this program sunsetted on December 27, 2016, 18 months  
5     after its effective date of June 27, 2015.

6             ~~(b) — **Legitimization Program for Certain Massage Establishments.** A Massage~~  
7     ~~Establishment shall be considered a legal, as defined in Section 180, or a permitted Conditional Use,~~  
8     ~~and shall be authorized to continue to operate without obtaining a Conditional Use authorization from~~  
9     ~~the Planning Commission, as required by Sections 102 and 890.60 of this Code, if it meets all of the~~  
10    ~~following requirements:~~

11                 ~~(1) — As of January 19, 2015, it was operating in that location;~~

12                 ~~(2) — As of to January 19, 2015, it obtained a business license from the City;~~

13                 ~~(3) — As of to January 19, 2015, all employees obtained a valid certification from the~~  
14     ~~California Massage Therapy Council (CAMTC) or a valid permit from the Department of Public~~  
15     ~~Health (DPH);~~

16                 ~~(4) — There are no open Police Department, Planning Department or DPH~~  
17     ~~enforcement cases against the Massage Establishment at the time of permit approval; and~~

18                 ~~(5) — The Massage Establishment applies for a permit from DPH under Section 29.25~~  
19     ~~of the Health Code within 90 days of the effective date of this Section 177.~~

20             ~~(c) — **Website Notice.** As soon as possible after enactment of this Section 177, the Planning~~  
21     ~~Department and DPH shall post notice of this legitimization program on their websites, inviting~~  
22     ~~Massage Establishment owners or operators to take advantage of this program, and describing its~~  
23     ~~contents and requirements. The notice shall clearly explain which zoning districts of the City permit~~  
24     ~~Massage Establishments as of right, which ones permit them with a Conditional Use authorization, and~~  
25     ~~which do not permit them.~~

1           (d) — **Determination of Applicability.** ~~Upon receiving a Massage Establishment referral from~~  
2 ~~the DPH pursuant to Section 29.28 of the Health Code, the Planning Department shall assess whether~~  
3 ~~the Massage Establishment meets the conditions set forth in this Section 177. Massage Establishment~~  
4 ~~owners or operators shall submit to the Planning Department evidence supporting the findings~~  
5 ~~required under Subsection (b) above. Such evidence may include, but is not necessarily limited to, the~~  
6 ~~following: rental or lease agreements, building or other permits, utility records, business licenses,~~  
7 ~~CAMTC certification materials, permits from DPH, or tax records. The Planning Department shall~~  
8 ~~determine compliance~~ with this Section in its response to the referral form received from DPH.

9           (e) — **Limitation of Intensification, Expansion or Discontinuance.** ~~Enlargements,~~  
10 ~~Intensifications or Discontinuances of Massage Establishments that follow the Legitimization Process~~  
11 ~~authorized by this Section 177 shall be subject to the controls applicable under Sections 178, 181, 182~~  
12 ~~and 183 of this Code.~~

13           (f) — **Compliance with Other Requirements of the Planning Code.** ~~Massage Establishments~~  
14 ~~that follow the Legitimization Process authorized by this Section shall comply with all applicable~~  
15 ~~requirements of the Planning Code, other than those requirements~~ from which they are specifically  
16 ~~exempted under this Section 177.~~

17           (g) — **Sunset.** ~~Unless readopted, this Section 177 shall sunset 18 months after its effective date~~  
18 ~~of June 27, 2015. The City Attorney is hereby authorized to direct the Publisher to delete Section 177~~  
19 ~~on or after December 27, 2016.~~

20       **SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL**  
21 **NONCONFORMING USES IN RH, RM, RTO, AND RED DISTRICTS.**

22           \* \* \* \*

23           (a)   **Exemption from Termination Provisions.** The following nonconforming uses  
24 in R Districts shall be exempt from the termination provisions of Section 185, provided such  
25 uses comply with all the conditions specified in § subsection (b) below:

1 (1) Any nonconforming use at any ~~s~~Story in an RTO, RH or RM District which  
2 is located more than ¼ mile from the nearest ~~Named Individual Area~~ Neighborhood  
3 Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, and  
4 which complies with the use limitations specified for the ~~f~~First ~~s~~Story and below of an NC-1  
5 District, as set forth in Sections ~~710.10 through 710.95~~ of this Code .

6 (2) Any nonconforming use in an ~~RTO~~, RH or RM District which is located  
7 within ¼ mile from any ~~Named Individual Area~~ Neighborhood Commercial District or ~~r~~Restricted  
8 ~~Use s~~Subdistrict and which complies with the most restrictive use limitations specified for the  
9 ~~f~~First ~~s~~Story and below of:

10 (A) ~~an~~ NC-1 District, as set forth in Sections ~~710.10 through 710.95~~ of  
11 this Code; ~~and~~

12 (B) ~~A~~ny ~~Named Individual Area~~ Neighborhood Commercial District  
13 within ¼ mile of the use, as set forth in Sections ~~714.10 through 748 and 753 through 764 729.95~~  
14 of this Code;

15 (C) Any Restricted Use Subdistrict within ¼ mile of the use, as set  
16 forth in Sections ~~781 et seq. through 781.7~~ of this Code.

17 (3) In the RED Districts, any nonconforming use which is a personal service  
18 use falling within zoning category 816.31; home and business service use falling within zoning  
19 categories 816.42 through 816.47; live/work unit falling within zoning category 816.55;  
20 wholesale sales, storage or light manufacturing uses falling within zoning categories 816.64  
21 through 816.67.

22 (b) **Conditions on Limited Nonconforming Uses.** The limited nonconforming  
23 uses described above shall meet the following conditions:

24 (1) The building shall be maintained in a sound and attractive condition,  
25 consistent with the general appearance of the neighborhood;

1 (2) Any signs on the property shall be made to comply with the requirements  
2 of ~~Article 6 Section 606(c)~~ of this Code for Limited Commercial ~~applying to nonconforming~~ uses;

3 \* \* \* \*

4 **SEC. 186.1. EXEMPTION OF NONCONFORMING USES IN NEIGHBORHOOD**  
5 **COMMERCIAL DISTRICTS.**

6 \* \* \* \*

7 (c) **Changes in Use.** A nonconforming use may be changed to another use or  
8 feature as described below.

9 (1) A nonconforming use may be changed to a use listed in Article 7 of this  
10 Code as a ~~p~~PPrincipal ~~u~~Use for the district in which the property is located, and the new use  
11 may thereafter be continued as a Principally pPermitted ~~p~~pPrincipal ~~u~~Use.

12 (2) A nonconforming use may be changed to a use listed in Article 7 of this  
13 Code as a Conditional Use for the district in which the use is located, only upon approval of a  
14 ~~e~~Conditional ~~u~~Use application pursuant to the provisions of Article 3 of this Code, and the new  
15 use may thereafter be continued as a permitted ~~e~~Conditional ~~u~~Use, subject to the provisions of  
16 Section 178 of this Code.

17 (3) A nonconforming use may be changed to a use which is not permitted in  
18 that Neighborhood Commercial District as described below, only upon approval of a  
19 Conditional Use application, pursuant to the provisions of Article 3 of this Code:

20 (A) Any Bar, Limited Restaurant, or Restaurant use ~~described in zoning~~  
21 ~~categories .41, .43, or .44, as defined in Sections 790.22, 790.90, and 790.91, respectively,~~ may  
22 change to another Bar, Limited Restaurant, or Restaurant use ~~described in zoning categories .41 or~~  
23 ~~.44,~~ even though such other use is not permitted in that Neighborhood Commercial District,  
24 unless such other use is located in an Alcohol Restricted Use Subdistrict and is prohibited by  
25 the provisions governing that Alcohol Restricted Use Subdistrict.

1 (B) Any Business Service, Health Service, Personal Service, or Retail  
2 Professional Service use ~~described in zoning categories .51, .52, or .53, as defined in Sections~~  
3 ~~790.114, 790.116, and 790.108 respectively,~~ may change to another such use ~~described in zoning~~  
4 ~~categories .51, .52, or .53,~~ even though such other use is not permitted in that Neighborhood  
5 Commercial District.

6 (C) Any Automotive Repair, Automotive Service Station, or Gas Station use  
7 ~~described in zoning categories .57, .58, or .59, as defined in Sections 790.14, 790.17, and 790.15~~  
8 ~~respectively,~~ may be demolished and reconstructed as the same use or may change to another  
9 such use ~~described in zoning categories .57, .58, or .59,~~ even though such other use is not  
10 permitted in that Neighborhood Commercial District.

11 The new use shall still be classified as a nonconforming use.

12 The changes in use described in this ~~s~~ubsection (c)(3) shall include remodeling  
13 activities involving the demolition and replacement of structures that result in a change of use.

14 \* \* \* \*

15 **SEC. 187.1. AUTOMOTIVE SERVICE STATIONS AND ~~GASOLINE~~ STATIONS AS LEGAL**  
16 **NONCONFORMING USES.**

17 (a) Continuation as a Nonconforming Use. Notwithstanding any other provision of this  
18 Code, an Automotive Service Station or ~~an~~ Automotive ~~a~~ Gas Station as defined in Section 102  
19 of this Code, located in ~~an~~ a Residential district, and having legal nonconforming use status  
20 under the provisions of this Code on January 1, 1980, shall be regarded as a legal  
21 nonconforming use so long as the station continues to sell and dispense gasoline and other  
22 motor fuels and lubricating fluids directly into motor vehicles.

23 (b) Enlargement and Intensification. An Automotive Service Station regarded as a  
24 legal nonconforming use under ~~s~~ubsection (a) of this Section 187.1 may enlarge or intensify  
25 its current service station operations provided the station receives ~~e~~Conditional ~~#~~Use

1 ~~authorization approval~~ for such enlargement or intensification under Section 303 of this Code.  
2 Conditional Use authorizations issued pursuant to this Section 187.1 shall not contain  
3 termination dates.

4 (c) Accessory Uses. Parking for car-share vehicles, as defined in Section 166, is  
5 permitted as an ~~a~~ Accessory ~~#~~ Use, and the addition of car-share vehicle parking shall not  
6 constitute an enlargement or intensification of the use, ~~as defined in Subsection (b) above.~~

7 **SEC. 191. AUTHORIZATION OF TEMPORARY CANNABIS SALES USES.**

8 A Grandfathered MCD, as defined in Section 190, that receives a permit to operate as  
9 a Medical Cannabis Dispensary from the Department of Public Health before January 1, 2019  
10 shall be deemed a Temporary Cannabis Sales Use, as defined in Section 205.2. Upon  
11 expiration of the Temporary Cannabis Sales Use authorization, the land use authorization for  
12 the parcel will revert to the original authorization to operate as a Medical Cannabis Dispensary  
13 Use, unless the Planning Department or Planning Commission has issued a permanent  
14 authorization for a Cannabis Retail Use.

15 This Section 191 shall expire by operation of law on January 1, 2020. Upon its expiration, the  
16 City Attorney shall cause this Section 191 to be removed from the Planning Code.

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

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

20 \* \* \* \*

<b>Neighborhood Commercial Districts (NC)</b> <b>General Neighborhood Commercial Districts</b> <b>(Defined in Sec. 702(a)(1))</b>	
NC-1	Neighborhood Commercial Cluster District (Defined in Sec. 710. <del>1</del> )
NC-2	Small-Scale Neighborhood Commercial District (Defined in Sec. 711. <del>1</del> )
NC-3	Moderate-Scale Neighborhood Commercial District (Defined in Sec. 712. <del>1</del> )
NC-S	Neighborhood Commercial Shopping Center District (Defined in Sec. 713. <del>1</del> )

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<b>Named Neighborhood Commercial Districts</b> (Defined in Sec. 702(a)(1))
* * * *
West Portal Avenue Neighborhood Commercial District <i>(Defined in Sec. 729.1)</i>

\* \* \* \*

**SEC. 202.2. LOCATION AND OPERATING CONDITIONS.**

\* \* \* \*

(e) **Institutional Uses.** The Institutional Uses listed below shall be subject to the corresponding conditions:

(1) **Medical Cannabis Dispensaries.** Medical Cannabis Dispensary Uses are required to meet all of the following conditions:

\* \* \* \*

(E) Alcohol shall not be sold or distributed on the premises for on- or off-site consumption; and

~~(F) — Upon acceptance of a complete application for a building permit for a Medical Cannabis Dispensary, the Planning Department shall cause a notice to be posted on the proposed site and shall cause written notice to be sent via U.S. Mail to all owners and occupants of properties within 300 feet of the subject lot in the same Assessor's Block and on the block face across from the subject lot as well as to all individuals or groups that have made a written request for notification regarding specific medical cannabis dispensaries;~~

~~(G) — All building permit applications shall be held for a period of 30 calendar days from the date of the mailed notice to allow review by residents, occupants, owners of neighborhood properties, and neighborhood groups;~~



1 (a) **Location.** Such parking or loading facilities shall be located on the same lot as  
2 the structure or use served by them. (For provisions concerning required parking on a  
3 separate lot as a ~~p~~PPrincipal or Conditional Use, see Sections 156, 159, 160 and 161 of this  
4 Code.)

5 (b) **Parking Accessory to Dwellings.** Unless rented on a monthly basis to serve a  
6 Dwelling Unit pursuant to Section 204.5(b)(1), below, accessory parking facilities for any  
7 ~~d~~DWelling in any R District shall be limited, further, to storage of private passenger  
8 automobiles, private automobile trailers, boats, bicycle parking and car-share vehicles as  
9 permitted by Section 150 and trucks of a rated capacity not exceeding three-quarters of a ton.  
10 Notwithstanding any provision of this Code to the contrary, the following shall be permitted as  
11 an ~~a~~Accessory ~~u~~Use:

12 (~~H~~) Lease of lawfully existing off-street residential parking spaces by the  
13 property owner or manager, for a term of no less than one month, is permitted as follows:

14 (1 ~~A~~) for use by any resident of a Dwelling Unit located on a different lot within  
15 1,250 feet of such parking space or

16 (2 ~~B~~) for use by any resident of a Dwelling Unit located on a different lot within  
17 the City and County of San Francisco so long as no more than five spaces are rented to those  
18 who live beyond 1,250 feet of such parking space.

19 (c) **Parking Exceeding Accessory Amounts.** Accessory parking facilities shall  
20 include only those facilities that do not exceed the amounts permitted by Section 151(c) or  
21 Table 151.1. Off-street parking facilities that exceed the accessory amounts shall be classified  
22 as a separate use, and may be principally or conditionally permitted as indicated in the Zoning  
23 Control Table for the district in which such facilities are located.

1     **SEC. 205.2. TEMPORARY USES: ONE- OR TWO-YEAR LIMIT.**

2             A temporary use may be authorized for a period not to exceed two years for any of the  
3 following uses:

4             \* \* \* \*

5             (e)     Temporary Cannabis Retail Use for a period of up to one year, as provided by  
6 Section 191, to be authorized no earlier than January 1, 2018 and to expire on January 1,  
7 2019. This is the only type of Temporary Use allowed for the sale of cannabis or cannabis products.

8     **SEC. 206.2. DEFINITIONS.**

9             \* \* \* \*

10            “Restricted Affordable Unit” means a ~~#D~~dwelling ~~#U~~nit within a Housing Project which will be  
11 Affordable to Very Low, Lower or Moderate Income Households, as defined in this Section  
12 206.2 for a minimum of 55 years. Restricted Affordable Units shall meet all of the  
13 requirements of Government Code 65915, except that Restricted Affordable Units that are  
14 ownership units shall not be restricted using an equity sharing agreement.”

15     **SEC. 206.3. HOUSING OPPORTUNITIES MEAN EQUITY - SAN FRANCISCO PROGRAM.**

16            \* \* \* \*

17            (c)     **HOME-SF Project Eligibility Requirements.** To receive the development  
18 bonuses granted under this Section, a HOME-SF Project must meet all of the following  
19 requirements:

20            \* \* \* \*

21            (3)     All HOME-SF units shall be no smaller than the minimum unit sizes set  
22 forth by the California Tax Credit Allocation Committee as of May 16, 2017. In addition,  
23 notwithstanding any other provision of this Code, HOME-SF projects shall provide a minimum  
24 dwelling unit mix of (A) at least 40% two and three bedroom units, including at least 10% three  
25 bedroom units, or (B) any unit mix which includes some three bedroom or larger units such

1 that 50% of all bedrooms within the HOME-SF Project are provided in units with more than  
2 one bedroom. Larger units should be distributed on all floors, and prioritized in spaces  
3 adjacent to open spaces or play yards. Units with two or three bedrooms are encouraged to  
4 incorporate family friendly amenities. Family friendly amenities shall include, but are not  
5 limited to, bathtubs, dedicated cargo bicycle parking, dedicated stroller storage, open space  
6 and yards designed for use by children. HOME-SF Projects are not eligible to modify this  
7 requirement under Planning Code Section 303(~~v~~ ~~¶~~) or any other provision of this Code;

8 \* \* \* \*

9 (5) Includes at the ground floor level active uses, as defined in Section 145.1,  
10 at the same square footages as any neighborhood commercial uses demolished or removed,  
11 unless the Planning Commission has granted an exception under Section 303(~~v~~ ~~¶~~)(2)(G).

12 **SEC. 206.4. THE 100 PERCENT AFFORDABLE HOUSING BONUS PROGRAM.**

13 (a) **Purpose and Findings.** This Section ~~206.3~~ 206.4 describes the 100 Percent  
14 Affordable Housing Bonus Program, or “100 Percent Affordable Housing Program”. In addition  
15 to the purposes described in Section 206.1, the purpose of the 100 Percent Affordable  
16 Housing Program is to facilitate the construction and development of projects in which all of  
17 the residential units are affordable to Low and Very-Low Income Households. Projects  
18 pursuing a development bonus under this 100 Percent Affordable Program would exceed the  
19 City’s shared Proposition K housing goals that 50% of new housing constructed or  
20 rehabilitated in the City by 2020 be within the reach of working middle class San Franciscans,  
21 and at least 33% affordable for low and moderate income households.

22 (b) **Applicability.** A 100 Percent Affordable Housing Bonus Project under this  
23 Section ~~206.3~~ 206.4 shall be a Housing Project that:

24 (1) contains three or more Residential Units, as defined in Section 102, not  
25 including any additional units permitted though this Section ~~206~~ 206.4 through a density bonus;

\* \* \* \*

**SEC. 206.5. STATE RESIDENTIAL DENSITY BONUS PROGRAM: ANALYZED.**

\* \* \* \*

**(b) Applicability.**

(1) A Housing Project that meets all of the requirements of this subsection (b)(1) or is a Senior Housing Project meeting the criteria of (b)(2) shall be an Analyzed State Density Bonus Project or an “Analyzed Project” for purposes of Section 206et seq. A Housing Project that does not meet all of the requirements of this subsection (b), but seeks a density bonus under State law may apply for a density bonus under Section 206.6 as an Individually Requested State Density Bonus Project. To qualify for the Analyzed State Density Bonus Program a Housing Project must meet all of the following:

\* \* \* \*

(C) for projects located in Neighborhood Commercial Districts is not seeking to merge lots that result in more than 125 *linear feet* in lot frontage on any one street;

\* \* \* \*

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

\* \* \* \*

(c) Development Bonuses. Any Individually Requested Density Bonus Project shall, at the project sponsor’s request, receive any or all of the following:

(1) **Density Bonus.** Individually Requested Projects that provide On-site Inclusionary Housing Units or Restricted Affordable Units shall receive a density bonus as described in Table 206.6A as follows:

\* \* \* \*

(H) Certain other types of development activities are specifically eligible for a development bonus~~es~~ pursuant to State law, including land donation under

1 Government Code Section 65915(g), condominium conversions under Government Code  
2 Section 65915.5 and qualifying mobile home parks under Government Code Section  
3 65915(b)(1)(C). Such projects shall be considered Individually Requested State Density  
4 Bonus Projects.

5 \* \* \* \*

6 **SEC. 206.8. AFFORDABLE HOUSING BONUS PROGRAM EVALUATION.**

7 \* \* \* \*

8 (d) **Program Evaluation and Update.**

9 (1) **Purpose and Contents.** Every five years, beginning five years from  
10 March 22, 2015, the Department shall prepare a Program Evaluation and Update. The  
11 Program Evaluation and Update shall include an analysis of the Bonus Programs'  
12 effectiveness as it relates to City policy goals including, but not limited to Proposition K  
13 (November 2014) and the Housing Element. The Program Evaluation and Update shall  
14 include a review of all of the following:

15 \* \* \* \*

16 (E) Review of the process for considering projects under the Bonus  
17 Program, including a review of Section 328, the appeal process, Section 303~~(#)~~ and other  
18 relevant process considerations.

19 \* \* \* \*

20 **SEC. 207. DWELLING UNIT DENSITY LIMITS.**

21 \* \* \* \*

22 (c) **Exceptions to Dwelling Unit Density Limits.** An exception to the calculations  
23 under this Section 207 shall be made in the following circumstances:

24 \* \* \* \*

25 (6) **Accessory Dwelling Units in Existing Single-Family Homes.**

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(B) **Lots Zoned for Single-Family or Multifamily Use and Containing an Existing Single-Family Home; Controls on Construction.** An Accessory Dwelling Unit located in a residential zoning district and constructed pursuant to this subsection (c)(6) shall meet all of the following:

(i) The ADU will strictly meet the requirements set forth in this subsection (c)(6)(B) without requiring a waiver of Code requirements pursuant to subsection (c)(4)(G).

\* \* \* \*

(C) **Permit Application Review and Approval.** Except as authorized by subsections (c)(6)(B)(v) and (vi), the Department shall approve an application for a permit to construct an Accessory Dwelling Unit within 120 days from receipt of the complete application, without modification or disapproval, if the proposed construction fully complies with the requirements set forth in subsection (c)(6)(B).

\* \* \* \*

**SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.**

\* \* \* \*

**Table 209.2  
ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
<b>RESIDENTIAL STANDARDS AND USES</b>					
* * * *					
Residential Uses					

1 2 3 4 5	Residential Density, Dwelling Units (7)	§ 207	Up to one unit per 800 square feet of lot area- <u>with a minimum of 3 units per lot.</u>	Up to one unit per 600 square feet of lot area- <u>with a minimum of 3 units per lot.</u>	Up to one unit per 400 square feet of lot area- <u>with a minimum of 3 units per lot.</u>	Up to one unit per 200 square feet of lot area- <u>with a minimum of 3 units per lot.</u> (8)
6	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

8 **SEC. 209.3. RC (RESIDENTIAL-COMMERCIAL) DISTRICTS.**

9 \* \* \* \*

10 **Table 209.3**  
**ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS**

11 Zoning Category	12 § References	13 RC-3	14 RC-4
15 Residential Uses			
16 Residential Density, Dwelling Units (7)	17 § 207	18 Up to one unit per 400 square feet of lot area- <u>with a minimum of 3 units per lot.</u>	19 Up to one unit per 200 square feet of lot area- <u>with a minimum of 3 units per lot.</u> No density limits in the Van Ness SUD (§ 243). (8)
20 * * * *	21 * * * *	22 * * * *	23 * * * *
24 Residential Density, Group Housing	25 § 208	<u>P U</u> up to one bedroom for every 140 square feet of lot area. (9)	<u>P U</u> up to one bedroom for every 70 square feet of lot area. (9)
* * * *	* * * *	* * * *	* * * *

**SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.**

These districts serve several functions. They provide convenience goods and services to Residential areas of the City, both in outlying sections and in closer-in, more densely built communities. In addition, some C-2 Districts provide comparison shopping goods and services on a general or specialized basis to a Citywide or a regional market area, complementing the main area for such types of trade in downtown San Francisco. The extent of these districts varies from smaller clusters of stores to larger concentrated areas, including both shopping centers and strip developments along major thoroughfares, and in each case the character and intensity of commercial development are intended to be consistent with the character of other uses in the adjacent areas. ~~As in C-1 Districts, the~~ The emphasis in C-2 Districts is upon compatible retail uses, but the district also allows a wider variety of goods and services ~~is included~~ to suit the longer-term needs of customers and a greater latitude is given for the provision of automobile-oriented uses.

**Table 210.1  
ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
* * * *		
<b>NON-RESIDENTIAL STANDARDS AND USES</b>		
* * * *		
<b>Entertainment, Arts and Recreation Use Category</b>		
<b>Entertainment and Recreation Uses*</b>	§ 102	P
<i>Entertainment, Outdoor</i>	<i>§ 102</i>	<i>NP</i>
* * * *	* * * *	* * * *

1 **SEC. 211.1. PRINCIPAL USES PERMITTED, P DISTRICTS.**

2 The following uses are principally permitted in all P Districts when found to be in  
3 conformity with the General Plan:

4 \* \* \* \*

5 (c) Accessory nonpublic uses, which in P Districts may or may not be related to the  
6 principal use, provided that they meet the following standards:

7 (1) If the accessory nonpublic use is located on a lot with an OS Height and  
8 Bulk designation per Section 290 of this Code, it shall occupy a de minimis amount of space  
9 so that it does not detract from the lot's principal or exclusive purpose as open space. In no  
10 case may accessory nonpublic uses occupy more than 1/3 of the total lot area occupied by  
11 the ~~principle~~ Principal ~~u~~Use;

12 \* \* \* \*

13 **SEC. 249.52. TREASURE ISLAND/YERBA BUENA ISLAND SPECIAL USE DISTRICT.**

14 \* \* \* \*

15 (2) **Uses.** The uses listed in Figure 3 are permitted in this Special Use  
16 District as indicated by the following symbols in the respective column for each district: (i) P –  
17 permitted as a ~~p~~Principal ~~u~~Use in this zoning designation; (ii) IC – subject to approval as an  
18 Island Conditional Use pursuant to the procedures set forth in subsection (h) below; (iii) blank  
19 – not permitted in this zoning designation.

20 **Figure 3: Treasure Island and Yerba Buena Island Permitted Uses**

	TI- R	TI- MU	TI- OS	TI- PCI	P=Permitted Use; IC= Island Conditional Use Permit Required; * and/or † = See Comments
Land Use	Zone				
* * * *					
Retail Sales and Services					

1	****	****	****	****	****	
2	32. Retail, Restaurants, Kiosks, Pushcarts, and other uses*		P	P		*Uses accessory to and supportive of recreation and open space uses, consistent with the Open Space Area standards and guidelines set forth in Chapter <del>T7</del> <u>Y1</u> of the Treasure Island/Yerba Buena Island Design for Development document
3	****	****	****	****	****	****
4	* * * *					
5	<b>Parking</b>					
6	****	****	****	****	****	****
7	55. Community garages†	P	P	IC		†Limited to the storage of private passenger automobiles belonging to Treasure Island residents, visitors, and workers, and meeting the siting and design requirements, car-share requirements, and otherwise complying with the provisions of Chapter <del>T6</del> <u>Y6</u> of the Treasure Island/Yerba Buena Island Design for Development document
8	56. Accessory Parking Facilities†	P	P		P	†Off-street parking, either surface or structured, that is accessory to a permitted or special use, subject to the requirements of Chapter <del>T6</del> <u>Y6</u> of the Design for Development document, in terms of location and quantity
9	****	****	****	****	****	****
10	* * * *					
11	<b>Civic, Public, Open Space, and Public Service Uses</b>					
12	****	****	****	****	****	****
13	69. Open space Maintenance Facility†			P	IC	†For support of open space program on <del>T</del> Treasure Island and Yerba Buena Island, and compliant to the standards and guidelines for each specific open space area listed in Chapter <del>T7</del> <u>Y1</u> of the Design for Development document
14	70. Playground	P*	P	P	P	*See Open Space Chapter <del>T7</del> <u>Y1</u> of Design for Development document for programming and size standards

1	71. Public Parks	P*	P	P	P	*See Open Space Chapter <del>T</del> <u>Y1</u> of Design for Development document for programming and size standards
2						
3	****	****	****	****	****	****
4	77. Wireless Telecommunications Services Facility†	P	P	P	P	†See Building Design Chapter <del>T</del> <u>Y5</u> of the Design for Development document for placement standards
5						
6						
7	****	****	****	****	****	****

8 \* \* \* \*

9 (g) **Review and Approval of Vertical Development.**

10 \* \* \* \*

11 (4) **Schematic Design Document Applications under Planning Commission Jurisdiction.**

12 \* \* \* \*

13 (E) **Public Hearing for Large Projects.** Prior to decision by the  
 14 Director of Planning ~~Director~~ pursuant to Subsection (g)(4)(C) above, each project subject to  
 15 the below criteria shall be presented at a regularly scheduled hearing of the Planning  
 16 Commission. Such hearing shall be calendared within 30 days after the application is  
 17 complete or deemed complete. If a public hearing is required under subsection (g)(4)(D) and  
 18 this Subsection, the Planning Commission shall jointly calendar and hear both items, to take  
 19 action on the Major Modification and to provide comment only on the project design. The  
 20 Director of Planning shall consider all comments from the public and the Planning  
 21 Commission in making his or her decision to approve, conditionally approve, or disapprove  
 22 the project design. Criteria necessitating public hearing are as follows:  
 23  
 24  
 25

1 (i) The project includes the construction of a new building  
2 greater than 70 feet in height, or includes a vertical addition to an existing building resulting in  
3 a total building height greater than 70 feet; or

4 (ii) The project involves a net addition or new construction of  
5 more than 25,000 gross square feet of commercial space.

6 **SEC. 249.70. CENTRAL SUBWAY TUNNEL BORING MACHINE EXTRACTION SITE**  
7 **SPECIAL USE DISTRICT.**

8 \* \* \* \*

9 (b) **Controls.** All otherwise applicable provisions of the Planning Code shall apply to  
10 this Special Use District, except as specifically provided in this Section 249.70:

11 \* \* \* \*

12 (8) **Height and Bulk.** The height and bulk applicable to this Special Use  
13 District shall be 55-X, provided, however, that in no case shall the height of any new structure  
14 exceed the height of the existing Pagoda Palace structure. For purposes of measurement of  
15 height in this District, the height of a projecting business sign shall be exempt, provided that  
16 such sign is the reconstruction or rehabilitation of an existing projecting movie theater blade  
17 sign as provided in ~~Section~~ paragraph 9 of this subsection (b) herein. Prior to demolition of the  
18 existing structure, the owner or owners authorized agent shall prepare and submit to the  
19 Planning Department a detailed survey, including elevations and sections, which accurately  
20 dimension the height of the existing theater building, including the heights of all rooftop  
21 features.

22 \* \* \* \*

23 **SEC. 249.76. POTRERO HOPE SF SPECIAL USE DISTRICT.**

24 \* \* \* \*

25 (e) **Project Review and Approval.**

1 \* \* \* \*

2 (3) **Building Design Review and Approval.**

3 \* \* \* \*

4 (B) **Staff Design Review.** The Department shall perform

5 administrative design review for each application as further detailed in the Development  
6 Agreement. Department staff shall review the project to determine if it complies with this  
7 Special Use District, the Design Standards and Guidelines, the Development Agreement, an  
8 approved Development Phase Application, and any applicable mitigation measures. The  
9 Department shall complete the initial review and respond to the project sponsor within 60 days  
10 of receiving a complete application. The Department staff shall have 30 days to respond to  
11 any modifications or revisions submitted by the project sponsor after the submission of the  
12 initial application. Upon completing review, Department staff may draft a staff report to the  
13 Planning Director or Planning Commission, as appropriate, including a recommendation  
14 regarding any modifications to the project. The staff report shall be delivered to the applicant  
15 no less than 14 days prior to Planning Director or Planning Commission action on the  
16 application, and shall be kept on file for public review. The Department shall provide public  
17 notice of the staff report and recommendation no less than 14 days prior to action on the  
18 application by the Planning Director or Planning Commission. Written notice shall be mailed to  
19 the notification group which shall include the project sponsor, tenants of the subject property,  
20 relevant neighborhood organizations as maintained by the Planning Department, and all  
21 individuals having made a written request for notification for the project site pursuant to  
22 Planning Code Section 351.

23 (4) **Approvals and Public Hearings.**

24 \* \* \* \*

1 (C) **Notice of Hearings.** The Department shall provide notice of  
2 hearings required by subsections (A) and (B) above as follows: (i) mail notice to the project  
3 applicant, property owners within 300 feet of the exterior boundaries of the property that is the  
4 subject of the application, using for this purpose the names and addresses as shown on the  
5 citywide assessment roll in the Office of the Tax Collector, and residents within 150 feet of the  
6 exterior boundaries of the property that is the subject of the application, and any person who  
7 has requested notice by mail not less than 20 days prior to the date of the hearing ~~to~~; and (ii)  
8 post notice on the subject property at least 10 days prior to the date of the hearing.

9 \* \* \* \*

10 (10) **Interim Uses.** An interim use may be authorized by the Planning  
11 Director, pursuant to the Design Review procedures outlined in ~~subsection~~ subsection (e)(3) of  
12 this Special Use District for a period not to exceed 5 years, if the Director finds that such use:  
13 (A) will not impede orderly development within the Special Use District; (B) is consistent with  
14 intent Special Use District and Development Agreement; and (C) would not pose a nuisance  
15 to surrounding residential uses. In addition to those uses set forth in Section 205, such interim  
16 uses may include, but are not limited to: farmers' markets; arts or concert uses; and rental or  
17 sales offices incidental to new development. Temporary or semi-temporary structures may be  
18 permitted under this subsection (10) for resident-serving community facilities such as wellness  
19 centers, or other improvements intended to facilitate phased development of the Project. An  
20 authorization granted pursuant to this subsection (10) shall not exempt the applicant from  
21 obtaining any other permit required by law. Additional time for such uses may be authorized  
22 only if the Planning Director approves the action after receiving a new application.

23 **SEC. 303.1. FORMULA RETAIL USES.**

24 \* \* \* \*

25

1 (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in  
2 the following zoning districts:

3 (1) Hayes-Gough Neighborhood Commercial Transit District;

4 (2) North Beach Neighborhood Commercial District;

5 (3) Chinatown Visitor Retail District;

6 (4) Upper Fillmore District does not permit Formula Retail uses that are also  
7 Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*;

8 (5) Broadway Neighborhood Commercial District does not permit Formula  
9 Retail uses that are also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90*  
10 *and 790.91*;

11 (6) Mission Street Formula Retail Restaurant Subdistrict does not permit  
12 Formula Retail uses that are also Restaurant or Limited-Restaurant uses *as defined in Sections*  
13 *790.90 and 790.91*;

14 (7) Geary Boulevard Formula Retail Pet Supply Store and Formula Retail  
15 Eating and Drinking Subdistrict does not permit Formula Retail uses that are also either a  
16 Retail Pet Supply Store or an Eating and Drinking use as set forth in Section 781.4;

17 (8) Taraval Street Restaurant Subdistrict does not permit Formula Retail uses  
18 that are also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*;

19 (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are  
20 also Restaurant or Limited-Restaurant uses *as defined in Sections 790.90 and 790.91*.

21 \* \* \* \*

1 **SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**  
2 **NEIGHBORHOODS MIXED USE DISTRICTS AND FOR CANNABIS RETAIL AND**  
3 **MEDICAL CANNABIS DISPENSARY USES IN ALL NON-RESIDENTIAL ZONING**  
4 **DISTRICTS.**

5 \* \* \* \*

6 (c) **Changes of Use.**

7 (1) **NC Districts.** In NC Districts, all building permit applications for a change  
8 of use to, or the establishment of, the following uses shall be subject to the provisions of  
9 subsection 312(d) except as stated below:

10 \* \* \* \*

11 Child Care Facility

12 \* \* \* \*

13 However, a change of use from a Restaurant to a Limited-Restaurant shall not be  
14 subject to the provisions of subsection 312(d). In addition, any accessory massage use in the  
15 Ocean Avenue Neighborhood Commercial Transit District shall be subject to the provisions of  
16 subsection 312(d).

17 \* \* \* \*

18 **SEC. 401. DEFINITIONS.**

19 In addition to the specific definitions set forth in Section 102 of this Code and elsewhere in  
20 this Article, the following definitions shall govern interpretation of this Article:

21 \* \* \* \*

22 ~~"Board" or "Board of Supervisors." As defined in Section 102.~~

23 \* \* \* \*

24 "Change of Use." A change of ~~g~~Gross ~~f~~Floor ~~a~~Area from one category of use to another  
25 category of use listed in the use table for the zoning district of the subject lot.

1 ~~"Child-care facility." As defined in Section 102.~~

2 \* \* \* \*

3 ~~"City" or "San Francisco." As defined in Section 102.~~

4 ~~"Commission" or "Planning Commission." As defined in Section 102.~~

5 \* \* \* \*

6 ~~"Community facilities." As defined in Section 102.~~

7 ~~"Condition(s) of approval." As defined in Section 102.~~

8 \* \* \* \*

9 ~~"DBI." As defined in Section 102.~~

10 \* \* \* \*

11 ~~"Department" or "Planning Department." As defined in Section 102.~~

12 "Designated affordable housing zones." For the purposes of implementing the Eastern  
13 Neighborhoods Public Benefits Fund, shall mean the Mission Street NCT defined in Section  
14 754 736 and those Mixed Use Residential Districts defined in Section 841 that are located  
15 within the boundaries of either the East SoMa or Western SoMa Plan Areas.

16 \* \* \* \*

17 ~~"Development impact fee." As defined in Section 102.~~

18 \* \* \* \*

19 ~~"Director." As defined in Section 102.~~

20 \* \* \* \*

21 ~~"DPW." As defined in Section 102.~~

22 \* \* \* \*

23 ~~"Hotel" or "Hotel use." Space within a structure or portion thereof intended or primarily suitable for or~~  
24 ~~accessory to the operation of a Hotel uses as defined in Code Section 102, regardless of the zoning~~  
25 ~~district that the use is located in.~~

1 \* \* \* \*

2 "Housing project." Any development which includes ~~a~~ Residential ~~u~~Use as defined in *Planning*  
3 *Code* Section 102 *of this Code*, including but not limited to Dwellings, Group Housing, Single  
4 Room Occupancy Units, independent living units, and other forms of development which are  
5 intended to provide long-term housing to individuals and households. "Housing project" shall  
6 not include that portion of a development that qualifies as an Institutional Use under the  
7 Planning Code. "Housing project" for purposes of the Inclusionary Housing Program shall also  
8 include the development of ~~Live/~~Work units as defined by Section 102.13 ~~of this Code~~.  
9 Housing project for purposes of the Inclusionary Housing Program shall mean all phases or  
10 elements of a multi-phase or multiple lot residential development.

11 \* \* \* \*

12 *"In-Kind Agreement." As defined in Section 102.*

13 \* \* \* \*

14 *"In lieu fee." As defined in Section 102.*

15 \* \* \* \*

16 *"Licensed Child Care Facility." As defined in Section 102.*

17 \* \* \* \*

18 *"Live/work project." A housing project containing more than one live/work unit.*

19 *"Live/work unit" shall be as defined in Section 102.13 of this Code.*

20 *"Long term housing." As defined in Section 102.*

21 \* \* \* \*

22 "Management, Information and Professional Services (MIPS)." An economic activity category  
23 under the TIDF that includes, but is not limited to, ~~o~~Office ~~u~~Uses; ~~medical offices and clinics,~~  
24 Health Service uses, ~~as defined in Section 890.114 of this Code~~; ~~b~~Business ~~s~~Services uses, *as defined*  
25

1 ~~in Section 890.111 of this Code; Integrated PDR, as defined in Section 890.49 of this Code, and~~  
2 ~~Small Enterprise Workspaces, as defined in Section 227(t) of this Code.~~

3 \* \* \* \*

4 "Medical and Health Services." An economic activity category under the TIDF that includes,  
5 but is not limited to, Hospital use and Social Service and Philanthropic Facility uses ~~those non-~~  
6 ~~residential uses defined in Sections 209.3(a) and 217(a) of this Code; and social and charitable~~  
7 ~~services, as defined in Sections 209.3(d) and 217(d) of this Code.~~

8 \* \* \* \*

9 ~~"Net addition." As defined in Section 102.~~

10 \* \* \* \*

11 ~~"Non-residential use." As defined in Section 102.~~

12 ~~"Notice of Special Restrictions." As defined in Section 102.~~

13 ~~"Office use." As defined in Section 102.~~

14 \* \* \* \*

15 "Owner Occupied." A qualified-income owner lives in the affordable unit as his or her principle  
16 residence and resides in the unit for a minimum period of time set forth in the Procedures  
17 Manual.

18 ~~"PDR use." As defined in Section 102.~~

19 \* \* \* \*

20 "Replacement of use." The total amount of ~~g~~G~~f~~F~~a~~Aross ~~f~~Floor ~~a~~Area, as defined in Section 102.9 of  
21 this Code, to be demolished and reconstructed by a development project.

22 \* \* \* \*

23 ~~"Residential use." As defined in Section 102.~~

24

25

1 "Retail/entertainment." An economic activity category under the TIDF that includes, but is not  
2 limited to, a ~~retail use, except those Retail Uses which are also PDR Uses~~; an entertainment use  
3 ~~as defined in this section~~; and ~~message establishments, as defined in Section 102.~~

4 \* \* \* \*

5  
6 ~~"Small Enterprise Workspace use." As defined in Section 102.~~

7 \* \* \* \*

8 ~~"Student Housing." As defined in Section 102.~~

9 \* \* \* \*

10 ~~"Use." As defined in Section 102.~~

11 \* \* \* \*

12 **SEC. 413.3. APPLICATION.**

13 (a) With the exception of uses listed below in subsection (b), Section 413.1 et seq.  
14 shall apply to any development project:

15 (1) ~~That~~ increases by 25,000 or more gross square feet the total amount of  
16 any combination of the following uses; entertainment, hotel, Integrated PDR, office, research  
17 and development, retail, and/or Small Enterprise Workspace, and

18 (2) ~~Whose~~ environmental evaluation application for the development project  
19 was filed on or after January 1, 1999.

20 (b) Section 413.1 et seq. shall not apply to:

21 \* \* \* \*

22 (8) Any of the following free-standing uses. For purposes of this Section, the  
23 term "free-standing" shall mean an independent building or structure used exclusively by a  
24 single use and any accessory uses, and that is not part of a larger development project on the  
25 same environmental evaluation application.

1 (A) ~~any free-standing Pharmacy retail use, encompassed in the definition~~  
2 ~~of "pharmacy" as proscribed in Section 790.48(b) of this Code and~~ which does not exceed more  
3 than 50,000 square feet of retail or other space; or

4 (B) any free-standing General Grocery retail use ~~encompassed in the~~  
5 ~~definition of "general grocery" proscribed in Section 790.102(a) of this Code, and~~ which does not  
6 exceed more than 75,000 square feet of retail or other space; or

7 (C) any mixed-use space consisting of ~~r~~Residential space and  
8 ~~p~~Pharmacy retail space not exceeding 50,000 square feet, or ~~g~~General ~~g~~Grocery retail space  
9 not exceeding 75,000 square feet.

10 **SEC. 415.3. APPLICATION.**

11 \* \* \* \*

12 (f) Section 415.1 et seq., the Inclusionary Housing Program, shall not apply to:

13 \* \* \* \*

14 (5) A Student Housing project that meets all of the following criteria:

15 \* \* \* \*

16 (D) The owner of the real property and each Post-Secondary  
17 Educational Institution or Institutions shall agree to submit annual documentation to MOHCD  
18 and the Planning Department, along with the annual monitoring fee, on or before December  
19 31 of each year, which addresses the following:

20 \* \* \* \*

21 (iii) The owner of the real property records a Notice of Special  
22 Restrictions (NSR) against fee title to the real property on which the Student Housing is  
23 located that states the following:

24 \* \* \* \*

1 f. The Student Housing project may be inspected by  
2 any duly authorized City employee ~~City employee~~ to determine its status as a Student Housing  
3 project and its compliance with the requirements of this Code at any time upon at least 24  
4 hours' prior notice to the owner of the real property or to the master lessee.

5 **SEC. 423.5. THE EASTERN NEIGHBORHOODS COMMUNITY IMPROVEMENTS FUND.**

6 \* \* \* \*

7 (c) Funds shall be allocated to accounts by improvement type as described below:

8 \* \* \* \*

9 (2) Funds collected in Designated Affordable Housing Zones (Mission NCT  
10 and MUR Use Districts within the boundaries of either the East SoMa or Western SoMa Area  
11 Plans (as defined in Section 401)), shall be allocated to accounts by improvement type as  
12 described in Table 423.5A. For funds allocated to affordable housing, MOH shall expend the  
13 funds as follows:

14 \* \* \* \*

15 **SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

16 \* \* \* \*

17 (d) **Accessory Uses.** Subject to the limitations set forth below and in Sections  
18 204.1 (Accessory Uses for Dwellings ~~Units~~ in ~~R and NC~~ All Districts), 204.4 (Dwelling Units  
19 Accessory to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code,  
20 Accessory Uses as defined in Section 102 shall be permitted when located on the same lot.  
21 Any ~~#~~Use that does not qualify as an Accessory Use shall be classified as a Principal or  
22 Conditional Use unless it qualifies as a temporary use under Sections 205 through 205.4 of  
23 this Code.

24 \* \* \* \*

1 **SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

2 \* \* \* \*

3 **Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**

4 **ZONING CONTROL TABLE**

		NC-1		
Zoning Category	§ References	Controls		
* * * *				
<b>NON-RESIDENTIAL USES</b>		<b>Controls by Story</b>		
		1st	2nd	3rd+
* * * *				
<b>Sales and Service Use Category</b>				
<b>Retail Sales and Service Uses*</b>	§ 102	P(2)(3)	NP	NP
* * * *				

12 \* \* \* \*

13 \* Not listed below

14 (3) ~~[Note deleted.]~~ *TARAVAL STREET RESTAURANT SUBDISTRICT. Applicable only for the Taraval*  
 15 *Street NC-1 District between 40th and 41st Avenues and between 45th and 47th Avenues as mapped on*  
 16 *Sectional Maps 5 SU and 6 SU. Restaurants and Limited Restaurants are C; Formula Retail*  
 17 *Restaurants and Limited Restaurants are NP.*

18 \* \* \* \*

19 **SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

20 \* \* \* \*

21 **Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2**

22 **ZONING CONTROL TABLE**

		NC-2		
--	--	------	--	--

Zoning Category	§ References	Controls		
* * * *				
<b>NON-RESIDENTIAL USES</b>		<b>Controls by Story</b>		
		<b>1st</b>	<b>2nd</b>	<b>3rd+</b>
* * * *				
<b>Sales and Service Use Category</b>				
<b>Retail Sales and Service Uses*</b>	§ 102	P	P	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Cannabis Retail	§§ 102, 202.2(a)	C	C	NP
* * * *	* * * *	* * * *	* * * *	* * * *

\* \* \* \*

**SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

\* Not listed below

(1) Additional 5 feet for ~~NC-2~~ NC-3 parcels zoned 40' or 50' with an Active Use on the ground floor within the following areas: Geary from Masonic Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard between Palm Avenue and Parker Avenue, see § 263.20.

\* \* \* \*

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

\* \* \* \*

Zoning Category	§ References	Controls		
<b>RESIDENTIAL STANDARDS AND USES</b>				
* * * *	* * * *	* * * *		
<i>Loss and Division of Dwelling Units</i>	<b>Controls by Story</b>			
	1st	2nd	3rd+	

* * * *	* * * *	* * * *
---------	---------	---------

\* \* \* \*

**SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT  
ZONING CONTROL TABLE**

\* \* \* \*

Zoning Category	§ References	Controls
<b>RESIDENTIAL STANDARDS AND USES</b>		
Development Standards		
* * * *	* * * *	* * * *
Off-Street Parking Requirements	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	No car parking required. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.
* * * *	* * * *	* * * *
<i>Loss and Division of Dwelling Units</i>	Controls by Story	
	1st	2nd
* * * *	* * * *	* * * *

Zoning Category	§ References	Controls
-----------------	--------------	----------

1 **NON-RESIDENTIAL STANDARDS AND USES (6)**

2 * * * *	* * * *	* * * *
-----------	---------	---------

3 \* \* \* \*

5 Zoning Category	§ References	Controls
-------------------	--------------	----------

7  
8 **SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT**

9 \* \* \* \*

12 Zoning Category	§ References	Controls
--------------------	--------------	----------

13 **RESIDENTIAL STANDARDS AND USES**

14 **Development Standards**

15 * * * *	* * * *	* * * *
17 Off-Street Parking Requirements	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per § 161. Bike parking required per § 155.2. <i>If car parking is provided, car share spaces are required when a project has 50 units or more per § 166.</i>
21 * * * *	* * * *	* * * *

22 \* \* \* \*

24 **SEC. 814. SPD – SOUTH PARK DISTRICT.**

25 \* \* \* \*

SPD -- SOUTH PARK DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	South Park District Controls
* * * *	* * * *	* * * *	* * * *
814.11	Off-Street Parking, Non-Residential	§§ 150, 151.1, 153-156, 166, 204.5, 303	None required. Limits set forth in Section 151.1
* * * *	* * * *	* * * *	* * * *
* * * *			
<b>Retail Sales and Services</b>			
* * * *	* * * *	* * * *	* * * *
814.34 75	Cannabis Retail	§§ 202.2(a), 890.125	C up to 5,000 sf per lot
* * * *	* * * *	* * * *	* * * *

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

\* \* \* \*

Table 846 SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	SALI District Controls
<b>BUILDING AND SITING STANDARDS</b>			
* * * *	* * * *	* * * *	* * * *
<b>Other Uses</b>			
* * * *	* * * *	* * * *	* * * *
846.97b	Neighborhood Agriculture	§ 102.35(a)	P
846.97c	Large-Scale Urban Agriculture	§ 102.35(b)	NP
* * * *	* * * *	* * * *	* * * *

Section 3. Amendment to All Zoning Control Tables in Article 7 of the Planning Code. The Board hereby directs the Publisher to make the following global correction to all the Article 7 Zoning Control Tables: In the Building Standards category, Miscellaneous

1 subcategory, the Section Reference should be amended to read “Section 602” instead of  
2 “Section 602.7.”

3 Section 4. Effective Date. This ordinance shall become effective 30 days after  
4 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
5 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
6 of Supervisors overrides the Mayor’s veto of the ordinance.  
7

8 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
9 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
10 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
11 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
12 additions, and Board amendment deletions in accordance with the “Note” that appears under  
13 the official title of the ordinance.  
14

15  
16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By: \_\_\_\_\_  
19 JUDITH A. BOYAJIAN  
20 Deputy City Attorney

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