



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Initiation of Planning Code Text Amendment

HEARING DATE: FEBRUARY 2, 2017

EXPIRATION DATE: N/A

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Project Name: **Article 7: Phase 2 of the Planning Code Reorganization**
Case Number: **2014-001965PCA** [Board File No. TBD]
Initiated by: Planning Department
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Recommendation: **Recommend Approval**

PLANNING CODE AMENDMENT

Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; and create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD.

The Way It Is Now:

Main Amendments

1. Article 7 of the Planning Code contains land use controls, development standards, and density controls for the City's Neighborhood Commercial Districts (NCD) . These controls are outlined in zoning control tables.
2. All uses allowed in NCD are defined in Section 790 of the Planning Code.
3. The Conditional Use (CU) mailed notice requirement is 20 days for NCD and Mixed Use Districts and 10 days for all other districts. The General Plan, and Variance mailing requirement is 10 days for all zoning districts.
4. Section 316 contains CU procedures and findings for NCDs and Mixed Use Districts, which are essentially the same as the controls in Section 306 of the Planning Code.

Definition Changes

5. Other Entertainment; Public Use; Other Institution, Larger; Other Institution Small; Business or Professional Services; and Other Retail Sales and Service are all use definitions that group together several other uses. These “sub-uses” are regulated separately in zoning districts that are not located in Article 7.
6. Massage Establishment, as defined in Section 790.60, includes the following uses defined in Section 102: Massage Establishment and Foot/Chair Massage. Per the definition, Foot and Chair Massage is allowed without a CU if it is visible to the public.
7. Personal Services as defined in Section 790.116 includes the following uses defined in Section 102: Personal Service and Instructional Services.
8. Takeout Food Use is defined in Section 102 as an individual Retail Sales and Service Use; it is also defined in Section 790.122 as an individual use.
9. Mobile Food Facilities are currently listed as a separate use in the Article 2 zoning control tables, and defined as a distinct and separate use in Section 102 of the Planning Code.
10. “Use Characteristic” is a term used in the Article 2 zoning control tables but not currently defined in the Planning Code.
11. Accessory Uses are defined in Section 204 of the Planning Code.

Sunset NCD Amendments

12. Bars and Liquor Stores are principally permitted on the first floor in the Noriega, Irving, Taraval, and Judah NCDs;
13. An interim control requires CU authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs.
14. Personal Services are principally permitted on the second floor in the Noriega, Irving, Taraval, and Judah NCDs.

North Beach NCD and SUD¹ Amendments

15. Ground Floor Commercial is not required in the North Beach NCD and SUD per Section 145.4.
16. There are no limits on lot mergers within the North Beach NCD and SUD per Section 121.7.
17. There are no limits on storefront consolidation in the North Beach NCD and SUD.
18. Per Section 155, vehicular access (driveway) is prohibited on Columbus between Washington and North Point Streets, but permitted on Grant Avenue, and Green Street.
19. Large Scale Agriculture and Kennels require CU authorization within the North Beach NCD.
20. Within the North Beach NCD and SUD, Business Hours may be extended to 2:00 AM to 6:00 AM with Conditional Use authorization.
21. Within the North Beach NCD and SUD, Restaurants are exempt from the 18-month abandonment period per Section 186.1. Instead, Restaurants are considered abandoned after three years.

¹ The North Beach NCD and SUD are coterminous.

22. Within the North Beach NCD and SUD, Movie Theaters are exempt from the non-residential use size limits in Section 121.2.
23. Limited-Restaurants are permitted as an accessory use in all NCDs, including the North Beach NCD and SUD.
24. Bakeries and other specialty food manufacturing businesses are considered Limited Restaurants in the North Beach NCD and SUD and require CU authorization.
25. Eating and Drinking uses in the North Beach SUD are permitted with CU authorization only if they do not take over a space previously occupied by a Basic Neighborhood Sale or Service use, as defined in Planning Code Section 780.3.

The Way It Would Be:

Main Amendments

1. Article 7 of the Planning Code will still contain land use controls, development standards, and density controls for the City's Neighborhood Commercial Districts; however the proposed ordinance would revise the zoning control tables to match the tables in Article 2.
2. Use definitions in Section 790 of the Planning Code would be deleted. Neighborhood Commercial Districts would use the standardized use definitions in Section 102.
3. The CU, General Plan, and Variance mailing noticing requirement would be 20 days for all zoning districts.
4. Section 316 would be deleted. Conditional Use procedures and findings for CUs in Neighborhood Commercial Districts and Mixed Use Districts would be found in Section 306 of the Planning Code along with all other zoning districts.

Definition Changes

5. The following use groupings would be split-up into more discrete uses so that they can be regulated separately. The control for the use would be the same as the control for the use grouping. For example, if Other Entertainment requires Conditional Use authorization, then General Entertainment and Nighttime Entertainment would also require a Conditional Use authorization.
 - a. **Other Entertainment:** General Entertainment, and Nighttime Entertainment.
 - b. **Public Use:** Public Facilities, Open Recreation Area, Passive Outdoor Recreation, Community Recycling Center, Internet Service Exchange, Public Transportation Facility, Utility Installation, and Wireless Telecommunications Services Facility.
 - c. **Other Institution, Small:** Childcare Facilities with 12 or fewer children and Residential Care Facilities with six or fewer persons (Please note that the numerical distinctions would be maintained as they relate to how the use is regulated, but there would only be one definition for these uses in Section 102).
 - d. **Other Institutions, Large:** Child Care Facilities with 13 or more children, Residential Care Facilities with seven or more people, Community Facilities, Private Community Facilities, Job Training, Post-Secondary Educational Institution, School, Religious Institution, Social Service or Philanthropic Facility, and Trade School.

- e. **Other Retail Sales and Service:** General Retail Sales & Service, General Grocery, Specialty Grocery, Cat Boarding, Tourist Oriented Gift Store, Jewelry Store, Non-Auto Vehicle Sales/Rental, and Pharmacy.
 - f. **Business or Professional Services:** Retail Professional Service, Design Professional, and Trade Office.
- 6. Massage Establishment and Foot/Chair Massage will be regulated separately in the zoning control tables in Article 7. Currently, Foot and Chair Massage is allowed without a CU if it is visible to the public; therefore if a Massage use is permitted with a CU in that zoning district, Foot and Chair massage would be principally permitted on the ground floor and require CU on the upper floors. If Massage use is not permitted in that district, Foot and Chair Massage would not be permitted.
 - 7. Personal Services and Instructional Service will be regulated separately in the zoning control tables in Article 7; however they will both be regulated the same way that Personal Service is currently regulated in that district.
 - 8. Takeout Food Use would be removed from the Planning Code as a separately defined use.
 - 9. The definition for Mobile Food Facilities would be amended to only refer to the Public Work's Code for the definition and refer to temporary use controls and restaurant controls for approval.
 - 10. A definition for "Use Characteristic" would be added to Section 102.
 - 11. The definition of Accessory Uses in Section 204 would be moved to Section 102.

Sunset NCD Amendments

- 12. Bars and Liquor Stores would require CU authorization on the first floor in the Noriega, Irving, Taraval, and Judah NCDs;
- 13. The existing interim control that requires CU authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs would become permanent.
- 14. Personal Services would require CU authorization to establish on the second floor in the Noriega, Irving, Taraval, and Judah NCDs.

North Beach NCD

- 15. Ground Floor Commercial would be required in the North Beach NCD and SUD per Section 145.4.
- 16. Lot mergers within the North Beach NCD and SUD would be limited to lots of 25 in width or less, per Section 121.7.
- 17. Storefront mergers would be prohibited within in the North Beach NCD and SUD.
- 18. In addition to the prohibitions on vehicular access on Columbus Avenue, vehicular access would also be prohibited on Grant Avenue between Columbus Avenue and Filbert Street, and Green Street between Grant Avenue and Columbus/Stockton Streets.
- 19. Large Scale Agriculture and Kennels would be prohibited within the North Beach NCD.
- 20. Business Hours between 2:00 AM to 6:00 AM would be prohibited.

21. Within the North Beach NCD, Restaurants would no longer be exempt from the 18-month abandonment period per Section 186.1.
22. Within the North Beach NCD, Movie Theaters would no longer be exempt from the non-residential use size limits in Section 121.2.
23. Limited-Restaurants would no longer be permitted as an accessory use in the North Beach NCD.
24. The definitions “Specialty Food Manufacturing” would be added to the North Beach SUD and require CU for approval within the SUD. This use would cover bakeries and other such businesses.
25. The North Beach SUD would be amended to permit Eating and Drinking uses with CU authorization on the ground floor only if the following is met: A Bar may occupy a space that is currently or last legally occupied by a Bar; A Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and A Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.

BACKGROUND

Planning Code’s Evolution

In 1921 The City established its first citywide zoning district system, later titled “a City Planning Code.” The Code consisted of 14 maps, which divided every parcel into one of six permitted categories or districts: First Residential, Second Residential, Commercial, Light Industrial, Heavy Industrial, and Unrestricted. There were literally no constraints placed on the use of land in the “Unrestricted” district. Over time, the Planning Code grew in complexity, and by 1974 it consisted of 134 pages and 20 zoning Districts. By 1996, the Code had gone through a tremendous amount of change including the establishment of RH, RM RC, Downtown, Chinatown, South of Market, and Mission Bay Districts. It included two volumes and contained 443 pages excluding the index, and temporary zoning controls. Since 1996 PDR RTO and Eastern Neighborhood’s Mixed Use Districts had been added to the Planning Code. Today, the Code contains over 1,300 pages and 111 zoning districts.

With each new addition came a different way of promulgating zoning information. By the 1940s, the zoning district’s use controls were shown in a table with the zoning districts arranged at the top of the table and the uses, including the definition of the use, arranged on the side of the table. Inside the chart contained the control, indicating whether the use was Permitted, required Conditional Use or was Not Permitted. When the Neighborhood Commercial Districts were added in the mid-1980s, zoning control tables were introduced to the Code. This new way of organizing information moved the definitions out of the tables and into a separate section (Section 790), and introduced vertical zoning, which controlled the use by floor. It also gave each district its own chart that included development requirements like height and bulk restrictions, parking requirements, hours of operation, etc.

When Chinatown and the South of Market Districts were added to the Code they followed a similar format as Article 7, using zoning control tables and adding another set of use definitions (Section 890). Many of these definitions duplicated the use definitions in Article 7. Some exceptions include Chinatown specific definitions like Jewelry Store, and Tourist Oriented Gift-Store and in the South of Market Districts Design Professional, Laboratory and Life Sciences. Article 9, which controls the land uses in Mission Bay also has its own set of definitions. Today, there were three separate sets of use definitions in

Section 2, 7, and 8 one set of general definitions in Article 1, fee specific definitions in Article 4, sign specific definitions in Article 6, and Mission Bay specific definitions in Article 9. This Code Reorganization Project seeks to bring some order and consistency to a very complex and intricate Planning Code.

Overall Goals and Phasing

Initiated in 2013, the Code Reorganization Project seeks to restructure the Planning Code so that it's easier to read, understand, and use. This Ordinance includes Phase 2 of the Planning Code Reorganization project and focuses on Article 7 of the Planning Code. Phase 1 was adopted by the Board of Supervisor on February 10, 2016 (Board File 141253), and signed by the Mayor on February 20, 2015 (Enactment Number 022-15).

Phase 1 of the Code Reorganization Project consolidated all use definitions into Section 102 of the Code. It also reorganized Article 2, which includes Residential (RH, RM, and RC), Downtown (C-3), and Industrial (PDR, and M) zoning districts, by creating zoning control tables similar to the ones already used in our NCDs. The benefit to zoning control tables is that they allow the users to obtain building standards and use controls for a particular zoning district in one easy to use chart. The Planning Commission unanimously recommended approval of the Phase 1, the Article 2 Reorganization Ordinance, in October of 2014.

Having successfully completed Phase 1 with significant community support, the Department moved on to Phase 2. This phase of the project will focus on Article 7 of the Planning Code, which contains controls for NCDs. Phase 2 deletes the definitions in Article 7 (Planning Code Section 790) so that NCDs use the same consolidated definitions in Section 102 created in Phase 1, and update the format of the Zoning Control Tables. The final phase, Phase 3, will do the same thing for Article 8 of the Planning Code (Mixed Use Districts), and will be initiated once Article 7 is complete.

ISSUES AND CONSIDERATIONS

Two Ordinances, One Goal

The proposed "ordinance" is split into two separate ordinances. One ordinance deletes all of the Article 7 zoning control tables and Article 7 use definitions in Section 790. The other ordinance adds the new zoning control tables back and makes other proposed changes. This was done to make the changes easier to identify and understand, and to make the ordinance more manageable. It also cuts down on the number of pages that the public has to print out.

Use Consolidation and Changes

Phase 1 of the Code Reorganization project consolidated all use definitions and definitions that are used universally thought the Planning Code into Section 102. Repeating use definitions that apply to all zoning districts in multiple places needlessly complicated the Planning Code, especially when many of those definitions are identical or overlap. At the end of this project there will no longer be use definitions in Articles 2, 7, or 8. Instead all zoning districts will use the definitions in Section 102.

In consolidating the definitions into Section 102, Staff was careful to preserve all existing use definitions so that existing land use controls could be preserved. To achieve this, use groupings (definitions that include multiple discrete uses) were broken up into their more discrete uses (see items 5-7 in The Way It

Is/Will Be Section). For example, in Article 2 Institutional Uses like Hospitals, Schools, and Social Services are all regulated and defined separately; however in Articles 7 and 8 these uses are combined into a definition called Other Large Institution. Conversely Articles 7 and 8 are very specific when it comes to Retail Sales and Services Uses, whereas Article 2 made few distinctions in this category. Under the new Section 102 definition the Use Category Retail Sales and Service includes 33 different uses, the vast majority of which came from Articles 7 and 8. The new consolidated set of uses definitions ensure that existing finely grained controls in all districts can be maintained, while reducing redundancy in the Code by eliminating multiple sets of definitions.

The following Section 790 definitions have been broken up into their more discrete uses in Section 102:

- **Public Use:** Public Facilities, Open Recreation Area, Passive Outdoor Recreation, Community Recycling Center, Internet Service Exchange, Public Transportation Facility, Utility Installation, and Wireless Telecommunications Services Facility.
- **Other Institution, Small:** Childcare Facilities with 12 or fewer children and Residential Care Facilities with six or fewer persons.
- **Other Institutions, Large:** Child Care Facilities with 13 or more children, Residential Care Facilities with seven or more people, Community Facilities, Private Community Facilities, Job Training, Post-Secondary Educational Institution, School, Religious Institution, Social Service or Philanthropic Facility, and Trade School.
- **Other Retail Sales and Service:** General Retail Sales & Service, General Grocery, Specialty Grocery, Cat Boarding, Tourist Oriented Gift Store, Jewelry Store, Non-Auto Vehicle Sales/Rental, and Pharmacy.
- **Massage Establishment:** Massage Establishment and Foot/Chair Massage
- **Personal Services:** Personal Service and Instructional Services.
- **Business or Professional Services:** Retail Professional Service, Design Professional, and Trade Office.
- **Other Entertainment:** General Entertainment, and Nighttime Entertainment.

Organizing Structure

The organizational system that this ordinance uses was developed as part of Phase 1 of the Code Reorganization Project. As stated earlier, one of the goals of this project is to bring consistency to the Planning Code. This consistency extends not only to the use definitions, but also to how those controls are promulgated. The organization system is based on eight defined use categories. This system allows for all uses to be accounted for in each zoning district without having to list out each use out in every chart. Each use definition starts by indicating which use category it belongs to, and each use category is defined in Section 102 and indicates which uses it includes.

All of the Planning Code's 116 uses definitions have been placed in one of the following eight use categories:

1. **Agriculture**
2. **Industrial**
3. **Institutional:** Education, Healthcare and Community
4. **Sales and Service:** Retail, Non-Retail

5. **Residential**
6. **Entertainment, Arts and Recreation:** Non-Commercial, Retail
7. **Automotive:** Non-Retail, Retail
8. **Utility and Infrastructure**

These categories then inform how the zoning control tables are organized. Each chart has its own section in which the category is listed first, followed by any use in that category that has a different land use control. Below is an example of how this works in the zoning control tables (the “*” indicates “Not Listed Below”):

Controls by Story				
Industrial Use Category	Section	1st	2nd	3rd+
Industrial Uses	§§102, 202.2(d)	NP	NP	NP
Institutional Use Category				
Institutional Uses*	§102	P	C	C
Child Care Facility	§102	P	P	P
Hospital	§102	NP	NP	NP
Medical Cannabis Dispensary	§§102, 202.2(e)	DR	NP	NP
Philanthropic Admin. Services	§102	NP	NP	NP
Public Facilities	§102	C	C	C
Residential Care Facility	§102	P	P	P

As is shown in the chart above, instead of listing all 21 Industrial Uses in the zoning control table, the chart only lists the Industrial Use category, and then indicates that the uses under this category are NP. Under Institutional Uses, instead of listing all 14 different Institutional Uses, the chart only lists those uses that have controls different from the overall use category. This organizational system helps reduce the length and complexity of the charts.

This system allows every use definition to be accounted for in each district. Currently, in Articles 7 and 8, if the definition is not listed it is not permitted. Staff has found that omitting the use from the table makes the Code vague, especially for members of the public who are not aware of the rule. Also some charts list uses that others don't, only adding to the confusion. The new zoning control tables address this issue by accounting for every use in the Planning Code in every zoning district.

Deletion of Section 316 and the 20-Day Notice

Planning Code Section 316 outlines the procedures for CU authorization in Neighborhood Commercial, and Mixed Use Districts. The section is not substantially different than Section 306, which outlines the CU procedures for all other zoning districts in the City. In fact, in several instances, the reader is directed back to Section 306. The one significant difference is the 20-day mailed notice required for CU applications in NC Districts. In all other districts this mailed notice is required 10 days prior to the hearing. The Department is proposing to maintain the 20 day noticing period and use it for all mailed CU, General Plan, and Variance notices in all zoning districts. Further, other requirements for posted

notices and newspaper notices are already 20 days in all zoning districts. This change will help standardize the noticing requirements in the Planning Code.

Changes Requested by Supervisors

Unlike the Article 2 Reorganization, the proposed ordinance does include some substantive changes, most which were requested by Supervisors Tang and Peskin. During the drafting of this ordinance, the Planning Department was in discussions with Supervisor Tang's office on amendments that she wanted to make to the NCDs within her District. Staff felt that it was possible to include these changes in the proposed Article 7 reorganization. After initiation, Staff also worked with Supervisor Peskin's office and representatives from the North Beach neighborhood on changes that they wanted to see in the North Beach and Broadway NCDs. The items listed below are supported by the Planning Department and included in the proposed ordinance; however, like proposed changes to the Planning Code initiated by a Supervisor's office, the Department assumes that the Supervisors have done community outreach regarding the proposed changes.

Sunset Neighborhood Commercial Districts

1. **Make permanent the interim controls that require CU authorization for Medical Cannabis Dispensaries in the Sunset NCDs.** The CU requirement was inadvertently taken out as part of the Article 2 Reorganization. As a stop gap measure, the Supervisor passed interim controls that put them back. The changes in this ordinance would make them permanent.
2. **Require CU for Bars and Liquor Stores on the ground floor.** These uses are currently principally permitted in these districts; however, these uses typically require a CU authorization in most NCDs.
3. **Require CU approval for Personal Service uses on the ground floor and principally permit Instructional Services on the second floor.** These two uses were separated as part of the Phase 1 of the Code Reorganization project, with the intention of regulating them separately in the Sunset NC zoning districts. The purpose of regulating them separately is to reduce the possibility of Personal Service uses located on the second floor being used as a cover for illicit activities, which is an issue that the Supervisor has been trying to address in her district.

Changes to North Beach NCD and SUD²

Staff intentionally reached out to representatives from North Beach early in the process. The North Beach NCD with its coterminous SUD and complicated list of specific provisions is by far the most complex NCD in the City, and provided the most opportunity for error or oversight. Staff initiated discussion in

² The North Beach NCD and North Beach SUD are coterminous. The SUD allows more nuanced controls with regards to eating and drinking uses

February of 2016 with representatives from North Beach and since then has had several meetings and numerous phone calls discussing the ordinance. Not all of the requested changes from Supervisor Peskin's office were included in the proposed ordinance. In general, Staff did not include requested changes that extended beyond the boundaries and the North Beach NCD and SUD, or which we felt needed more analysis. The full list of requested changes is attached as Exhibit B.

Neighborhood Character

1. **Required Ground Floor Commercial.** This change is intended to reinforce the existing character of the neighborhood, which has ground floor commercial and residential units above. Typically, Section 145.4 only requires ground floor uses on certain street of a particular NC District; however, in this case the entire NCD is required to have the commercial uses that are listed in Table 145.4.
2. **Prohibit Storefront Consolidation.** This change is intended to help preserve the fine-grained character of the neighborhood with its small storefronts. This tool is also being used in the proposed Calle 24 SUD to protect that district's unique fine-grained character.
3. **Prohibit vehicular access on Grant Avenue and Green Street.** This tool is utilized in several other neighborhoods to not only reduce pedestrian and traffic conflicts but to maintain an active street frontage. Further, North Beach does not have minimum parking requirements and is well served by transit eliminating the need for driveway accesses.
4. **Prohibit the loss of dwelling units on upper floors.** The Planning Code already places significant restrictions on the removal of existing housing units; this provision will provide additional protection for existing units in this neighborhood.

Use Control Changes

5. **Prohibit Large Scale Agriculture.** This use is unlikely to be located within the district as it applies to agricultural production on plots one acre or larger or on smaller parcels that cannot meet the physical and operational standards for Neighborhood Agriculture. North Beach is one of the City's oldest and densest neighborhoods and it is unlikely that such a use would be able to locate within the district.
6. **Prohibit Kennels.** Kennel is not separately listed in Article 7; however a Zoning Administrator interpretation allows Kennels through the same method as Animal Hospitals in Neighborhood Commercial Districts.

Other Modifications

7. **Prohibit Business Hours from 2:00 AM to 6:00 AM.** According to Supervisor Peskin's office, there are no 24 hour businesses in North Beach, and the neighborhood would like to preserve this type of use for the Broadway NCD, which is next to the North Beach NCD. Several other NCDs also prohibit business hours between 2:00 AM and 6:00 AM.
8. **Reestablish 18-month period for restaurant abandonment.** This provision was included for a specific business, but is no longer needed. As such, Supervisor Peskin's office has requested that it be removed.
9. **Remove the use size exception for Movie Theaters.** This provision was added so that the Palace Theater, the only movie theater in North Beach, could reopen should it ever be rehabilitated.

Since then the Palace Theater has been demolished and this provision is no longer needed. The demolished theater is expected to be replaced with a mixed-use development.

Changes to the North Beach SUD:

1. Add “Specialty Food Manufacturing” definition and require CU for approval in the SUD.

North Beach has long tried to maintain its small scale food manufactures like bakeries and gelaterias, some of which still maintain a connection to the neighborhood’s historic Italian past. Since 2011, bakeries have fallen under the definition of Limited Restaurant; this has allowed bakeries in North Beach to convert to different eating and drinking uses without any public oversight. Adding this definition to the SUD will help preserve existing special food manufactures, and allow new ones to open in the neighborhood.

2. Revise the SUD’s Eating and Drinking controls to address change made under the 2011 Restaurant Ordinance. The SUD is being amended to allow for more intensive Bar uses to convert to Restaurant Uses, and Restaurant Uses to convert to Limited-Restaurant Uses. Limited-Restaurant uses would not be able to convert to a Restaurant or Bar use. This is essentially what the SUD did prior to the 2011 Restaurant Ordinance; however, with the changes in the definitions the neighborhood was seeing more Limited Restaurants, which was not the original intent of the SUD’s controls.

Other Changes Since Initiation

Including clerical and other minor corrections, staff made the following changes to the proposed ordinance since the Planning Commission initiated this ordinance. Most of the changes are intended to make the proposed regulations consistent with the existing regulations, or to reconcile the ordinance with change to the Code since initiation.

1. Reconciled Article 7 Ordinance with recently passed ADU legislation, Planning Code Section 317 changes, Upper Market NCT Amendments, Sacramento Street NCD amendments, and WTS Facilities Ordinances.
2. Removed “Retail” designation from Art Entertainment and Recreation use category definition: some uses included in the category are not “retail,” however those that are still identified as Retail in their respective definitions.
3. Added back the controls by floor for Residential Uses to the zoning control tables. This allows all Residential Uses to be accounted for without having to list each one in the table.
4. Removed Arts Activities as permitted use in the NCDs. This is very broad use category and includes uses that are not currently permitted in NCDs. This use can still be permitted in NCDs on a case by case basis; however including them now would be a substantive change.
5. Added back Amusement Game Arcade use definition to the list of uses and to the NC District zoning control tables. This was the only use proposed for deletion; however given the renewed interest in this use, staff has added it back to the Code.
6. Removed the changes to Section 182, 183, and 186.1, Non-conforming Use Controls. The proposed changes did not need to happen in this ordinance and a more thorough review and reorganization of these sections is required.

7. Removed changes to Sections 204 and 204.3 Accessory Use Controls. The proposed changes were intended to consolidate all Accessory Use controls into these two sections of the Code. As a result the Accessory Use controls for Article 7 districts in Section 703.2 were added back. This was done in response to community concerns over unintended consequences, and to simplify the reorganization process. A consolidation could still happen in the future, though its own separate ordinance.
8. Added the uses that were previously covered under Other Retail Sales and Service to the list of Formula Retail uses in Section 303.1. These uses include General Grocery, Specialty Grocery, Pharmacy, Jewelry Store, Tourist Oriented Gift Store, and Non-Auto Vehicle Sales or Rental. This change is intended to maintain existing controls on Formula Retail.
9. Modified the definition of Specialty Grocery to prohibit seating. This change is intended to distinguish this use from the Limited Restaurant use.
10. Modified the definitions of Mobile Food Facility in order to remove the reference to the Public Works Code. Instead, the definition from the Public Works Code was pasted into the Planning Code's definition for Mobile Food Facility. This was done to avoid confusion over what sort of permits this type of use needs.
11. Removed Section 168, Baby Diaper Changing Stations, from the proposed ordinance. This section is proposed for deletions from the Planning Code and as such does not need to be amended.
12. Added a provision to Section 177, "Legitimization of Certain Massage Establishments" that allows the City Attorney to remove this section once the provision for legitimization expires.
13. Removed a provision for RC District in Table 209.3 that prohibited uses above the second floor. This change is intended to correct an error from the Phase 1 of the Code Reorganization project.

Outreach and Process to Date

The Department originally presented the Planning Code Reorganization effort to the Planning Commission on June 20, 2013, while it was an informational presentation there was a general consensus from the Commission that the proposal should move forward. After, the Department held a series of community outreach meetings conducted before and after the ordinance was initiated by the Planning Commission. The Department spent the next few months further refining the proposed Ordinance based on feedback from the outreach meetings, comments from the Commission, and further analysis of the Planning Code. When it was finally adopted by the Planning Commission in October of 2013, those that had participated in the outreach meetings expressed their support for the proposed amendments.

For Phase 2 the Department has also done extensive public outreach, all of which have resulted in refinements and corrections to the proposed Ordinance. The following is a list of the Outreach conducted by staff:

- Staff hosted a pre-initiation outreach meeting on June 3, 2016.
- Staff hosted a post-initiation outreach meeting on September 7, 2016. Email invitation also included an offer to meet with individual neighborhood groups.
- Staff held an additional outreach meeting held on January 4, 2017 that went over the proposed ordinance as well as the changes that had been made since the ordinance was initiated.
- Staff attended the CFSN membership meeting and present the proposal on July 19, 2016
- Staff presented the proposal to the Small Business Commission.
- Staff presented to the Historic Preservation Commission.
- Staff met with representatives from the Pacific Avenue NCD, and the Polk Street NCD.

- Staff had several meeting and phone calls with representatives from Supervisor Peskin's office, and the North Beach NCD.
- Staff met with Paul Wermer on September 14, 2016 to discuss monitoring issues related to Article 7 Districts and Upper Fillmore NCD.
- Staff briefed all Land Use Aides on the proposal, and had more in-depth briefings with Supervisors Mar, Tang, and Breed's offices.

IMPLEMENTATION

The Department has determined that this ordinance will help the Department implement the Planning Code by standardizing the Planning Code, making it easier to use and understand.

REQUIRED COMMISSION ACTION

The proposed Resolution is before the Commission so that it may recommend approval or disapproval to initiate the Planning Code amendments.

RECOMMENDATION

The Department recommends that the Commission recommend approval with modifications of the proposed ordinance with the following recommendations:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained.

BASIS FOR RECOMMENDATION

At over 1336 pages and including over 100 zoning districts, the Planning Code is a large and complicated document. This complexity, some of which is necessary, can make it difficult to effectively implement and interpret the City's land use regulations. It also makes it difficult for members of the community to effectively engage in the City's development process. The Department strongly believes that consolidating use definitions and making the Planning Code easier to use by creating zoning control tables for all zoning districts will help mitigate these issues. Further, standardizing how zoning districts are organized will aid future community planning efforts by providing a clear framework for existing land use regulations and use definitions.

Recommendation 1: Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained. While staff can continue to make non-substantive changes to the ordinance as it moves through the legislative process, there may be changes that the City Attorney's office considers substantive changes to the ordinance, but which are intended to preserve existing controls. Staff would like the Commission to make this recommendation in case any such changes need to occur.

ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code is anticipated to result in no physical impact on the environment. Evaluation under CEQA will be complete prior to the initiation hearing.

PUBLIC COMMENT

The Department has received several letters from the CSFN expressing their concerns about the proposed ordinance. Their letters and responses are attached to this report (Exhibit C). In general they are

concerned over how long they have been given to review the proposed ordinance (not over 7 months), changes that they see as significant and or substantive, and the quality of the outreach meetings.

Staff also received a letter from Inga Horton (Exhibit C), which is also attached. She would like to see the controls for the Taraval Street Restaurant Sub-district integrated into the zoning control table for the Taraval NCD. She also requests that the names of the districts in the header above the tables be spelled out. Regarding Ms. Horton's first request, this sub-district applies to more than just the Taraval NCD, so it's not easily integrated into the zoning control table beyond what staff has already done; however, in consultation with the District Supervisor, Staff will continue to look at this issue and see if the information can be better integrated into the Taraval Street NCD or if the restaurant sub-district is still needed. Regarding Ms. Horton's second request, staff will continue to refine the ordinance to address her concerns as these are not substantive changes.

Staff also met with Paul Wermer who had concerns about the proposed deletion of the monitoring and reporting requirement for Article 7 in Section 701.2. Staff originally proposed removing this section because it is outdated. Mr. Wermer felt that if it is removed it should be replaced with something that is more up to date and meaningful than a "report to the Board of Supervisors on the Neighborhood Commercial Zoning controls... every twenty-four months..." Mr. Wermer raised some very good ideas on how this provision could be improved upon; however they far exceeded the scope of this ordinance. In recognition of this concern, staff has put back Section 701.2 into the Code until such time as a suitable and more effective replacement can be added.

Staff has worked extensively with Kathleen Dooley and Nancy Shanahan, who are representatives from North Beach and Telegraph Hill. As a result of these conversations, Supervisor Peskin requested the changes listed above to the North Beach NCD and SUD and the Broadway SUD. Ms. Dooley and Shanahan were also extremely helpful in identifying errors and omissions in the draft ordinance, which staff has corrected.

Outstanding concerns of Ms. Dooley and Shanahan include how the new Nighttime Entertainment and General Entertainment definitions fill in for the old Other Entertainment definition in Section 790.38. In general, The Nighttime Entertainment use covers the more impactful uses that were listed under Other Entertainment, such as discos and theater productions where alcohol is served during performances. The General Entertainment definition covers those uses that are less impactful, such as bowling alleys, mini-golf, and skating rinks. Both of these uses are being regulated the same way that Other Entertainment was regulated.

Ms. Dooley and Ms. Shanahan also expressed concern that some of the proposed changes requested by Supervisor Peskin were not included in the proposed ordinance. Staff discusses this issue with them and said that we would include the requested changes in the Staff's case report (see exhibit B) so that the Commission had the opportunity to discuss them; however the changes the Department did not support would not be in the ordinance presented to the Planning Commission.

RECOMMENDATION:	Approval with Modifications
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Attachments:

Exhibit A: Draft Planning Commission Resolution

Exhibit B: List of requested amendments from Supervisor Peskin's Office via Nancy Shanahan and Kathleen Dooley
Exhibit C: Public Comment Letters

DRAFT

PROPOSED AMENDMENTS:

1. **Require ground floor commercial in NBSUD – Amend Section 145.4.**

Add to Section 145.4(b):

“(27) The entirety of the North Beach Special Use District (NBSUD)”.

Add to the end of “Controls” in Section 145.4(d)(3) or add new 145.4(d)(4):

“The foregoing notwithstanding, the consolidation of existing retail or commercial spaces or storefronts shall be prohibited in the North Beach Special Use District (Sec 780.3).” [Also add to Sec. 780.3 and to NBNCD Chart]

Amend first sentence in Section 145.4(e):

“Modifications to the requirements of this Section are not permitted in DTR Districts *or in the North Beach Special Use District (Sec 780.3).*”

Question: If there is a proposal to change a ground floor use from residential (a nonconforming use) to commercial or retail use, does it require a Sec. 317 review? We would propose to exempt it from Sec. 317 in the NBSUD in Section 780.3.

2. **Change language in NBNCD chart and in Sec. 722.1 clarifying that ADUs are now prohibited from displacing ground floor commercial uses.**

NOTE: These changes apply to all NCDs. ADU’s are no longer limited to District 3 and 8 and would no longer permit ADUs to eliminated or reduce a retail or commercial space on the ground floor. [See suggested language for NBNCD Sec. 722.1(attached)]

3. **Amend Section 155(r)(2) to add the following to the list of streets where vehicular access (curb cuts for garages) is not permitted:**

Add to Sec. 155(r)(2):

(DD) Grant Ave between Columbus Ave and Filbert St.

(EE) Green St between Grant Ave and Columbus/Stockton.

(FF) All Alleys in the Telegraph Hill-North Beach Residential Special Use District.

NOTE 1: “Alley” is defined in Sec 102 as a right-of-way less than 30 ft. in width.

NOTE 2: Limits on vehicular access already in place for Columbus Ave. between Washington and North Point.

4. **Prohibit Lot Mergers in the North Beach Special Use District – Amend Section 121.7.**

Amend Sec. 121.7 to prohibit lot mergers in the in the North Beach Special Use District (Sec. 780.3). Add to Chart in Sec. 121.7:

North Beach Special Use District – See Subsection (f)

(f) In the North Beach Special Use District, no merger of lots resulting in a lot with a single street frontage greater than 25 feet, and no merger of any lot with frontage on an Alley.

Question: Should a corresponding amendment be made to Sec. 780.3?

5. **Prohibit PUDs in the North Beach Special Use District – Amend Section 304.**

Amend Sec 304 to prohibit Planned Unit Developments in the North Beach Special Use District (Sec. 780.3). Amend first sentence in Section 304 as follows:

“In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, the DTR Districts, the North Beach Special Use District or the South of Market Mixed Use Districts, the Planning Commission may authorize

Question: Should a corresponding amendment be made to Sec. 780.3?

AARON STARR: ALSO NOTE: Section 304(b) needs to be amended to eliminate reference to the Redevelopment Agency of the City, since it no longer exists. Suggest you search the Planning Code for other old references to it.

6. Add to NBSUD (Sec. 780.3) -- Prohibit the consolidation of existing storefronts on ground floor within the NBSUD.
7. Add to NBSUD (Sec. 780.3) -- Prohibit the removal, demolition, merger or conversion of upper story residential uses (on 2nd, 3rd and above) within the NBSUD.
8. Delete Sec. 780.3(c) from NBSUD (former Sup. Christensen’s special re-zoning for Rossi Market/Mama’s).
9. Prohibit Large Scale Urban Agriculture in the NBNCD.
10. Prohibit Kennels in NBNCD [Allow Animal Hospitals with CU and other pet facilities]

11. Prohibit hours of operation from 2 a.m. to 6 a.m. in the NBNCD (now allowed with CUA)
12. Amend Sec. 186.1(d)(1) to re-establish 18-month abandonment period for restaurants in NBNCD:

(1) In the **North Beach**, Castro Street, and Haight Street Neighborhood Commercial Districts the period of non-use for a nonconforming use to be deemed discontinued shall be 18 months, ~~except in the **North Beach** Neighborhood Commercial District, the period of non-use for a Restaurant use, as defined in Section [790.91](#), to be deemed discontinued shall be three years.~~

13. Amend Sec. 121.2(b) to eliminate the exception in the NBNCD to use size .limit for Movie Theater use since our theater building has been demolished.

14. **In the Broadway NCD – Make Bars subject to a CU and Restaurants P.**

15. **SEE SEPARATE AMENDMENTS TO SEC. 780.3.**

Amend NBSUD (Sec. 780.3) to deal with Planning Dept's changes to definitions, which substantially change our NBSUD scheme to protect existing neighborhood serving non-eating and drinking uses. And to make other changes discussed above.

16. **SEE OUR PROPOSED AMENDMENTS TO DEFINITIONS OF SPECIALTY GROCERY and LIMITED RESTAURANT.** Per a previous meeting with Scott Sanchez, we agreed to work to better differentiate between of Specialty Grocery and Limited Restaurants – the definitions are so similar it has

caused much confusion to new businesses in NB and the planning department/enforcement. Important in NB, since Limited Restaurant use is subject to special controls (CUA or not permitted] while Specialty Grocery is permitted as of right.

17 . SEE ALSO OUR SUGGESTIONS FOR MINOR CHANGES TO DEFINITIONS FOR “GENERAL GROCERY” AND “RESTAURANT.”

18 . NEW DEFINITION FOR “MANUFACURING OF SPECIALTY FOODS.”

For North Beach [NCD or SUD?], we are proposing to create a new definition for “Manufacturing of Special Foods.” Would be subject to a CUA for any new ones. Seems this could be a new City-wide use and not just for NB. No other definition covers this type of use.

19. ELIMINATE “TAKE OUT FOOD” USE. Now, with your latest proposed changes, even more confusing – definitions mixed and “Take Out Food Use” confuses things even more.

See amendment to end of Section 722.1:

SEC. 722.1. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Nob Russian Hill north of Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty shopping, and dining district, and a tourist attraction, as well as an apartment and residential hotel zone. Traditionally, the district has provided most convenience goods and services for residents of North

Beach and portions of Telegraph and Russian Hills. North Beach's eating, drinking, and entertainment establishments remain open into the evening to serve a much wider trade area and attract many tourists. The balance between neighborhood-serving convenience stores and Citywide specialty businesses has shifted gradually, as some convenience stores have been replaced by restaurants and bars. The proliferation of financial services, limited financial services, and business and professional services has also upset the district's balance of uses. The relocation of business and professional offices from downtown to North Beach threatens the loss of upper-story residential units.

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. Building standards limit new development to a small to moderate scale. Rear yards are protected above the ground story and at residential levels. Most new commercial development is permitted at the first two stories. Small-scale, neighborhood-serving businesses are strongly encouraged and formula retail uses are prohibited. Use sizes are controlled to limit future consolidation of spaces and to encourage conversion back to the traditional small-scale commercial spaces. Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood serving retail sales and personal services in an area that needs them to thrive as a neighborhood. In order to maintain neighborhood-serving retail sales and personal services and to protect residential livability, additional eating and drinking establishments are prohibited in spaces that have been occupied by neighborhood-serving retail sales and personal services. Special controls limit additional ground-story eating and drinking, entertainment and

business and professional office uses and prohibit new walk-up automated bank teller machines (ATMs). Financial services, limited financial services, and ground-story business and professional office uses are prohibited from locating in the portion of the district south of Union Greenwich Street, while new financial services locating in the portion of the district north of Union Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability.

In keeping with the district's existing mixed-use character, housing development in new buildings is encouraged above the second story. Existing residential units are protected by prohibitions of upper-story conversions and limitations on demolitions. Accessory dwelling units are permitted within the district pursuant to Subsection 207(c)(4) of this Code *except that they shall not be permitted on the ground-story in any building if it would eliminate or reduce a retail or commercial space.*



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September 4, 2016

To: Rodney Fong, President, SF Planning Commission

From: George Wooding, President, CSFN

Re: Article 7 of the Planning Code of the City and County of San Francisco

Dear Commissioners,

This supplements our letter dated August 18, 2016 (the “First Letter”) regarding the Reorganization therein described. All terms defined therein shall have the same meaning when used herein.

In the First Letter we indicated that we would take a sampling of Commercial Use Districts and Use Characteristics to see if they remained substantively the same. Accordingly, we have undertaken the following steps:

Table 145.4

Reviewed Table 145.4 in the proposed Reorganization legislation with regard to specified new or modified Uses, and compared them with their sources, as specified on a “key/cheat sheet” (“Key”) chart supplied to us by the Staff, and found them to be substantially in agreement except as follows:

Table 145.4, Page 14, Line 17: There also needs to be some work done on “Amusement Game Arcade,” which has a cross-reference to Article 8 which has not been published yet and the controls have been changed from “C/NP/NP” to “C/C/C” for arcade floors in NC-3 for example. This appears to be substantive and we are unclear as to why this change was made.

Table 145.4, Page 16, Line 3 introduces a category called “Sales and Services, General Retail,” and leaves intact 2 other categories, “Sales and Services, Other Retail” and “Sales and Services, Retail” whereas neither the Key nor the various Zoning Control Tables do not use those

terms. This was confusing to read and these terms need to be re-worked for transitional consistency. Once this is completed, the corrected terms need to be included in Section 102.

Table 145.1, Page 16, Lines 9 and 13: These specific defined terms (“Service, Health” and “Service, Medical”) do not track with the source document. Please conform.

Sampling of District Zoning Control Tables

In our sampling of the Zoning Control Tables, we have not reviewed any possible new legislation since the publication of the Reorganization on June 30, 2016.

We reviewed the Zoning Control Tables of two Districts, NC-3 (Table 712) and West Portal Neighborhood Commercial District (Table 722), comparing each with their respective source documents in current Article 7 and found the following exceptions:

NC-3

Page 65, Line 6, of current law reflected in the “crossed-out version” thereof, the term “Administrative Service” which was Sec. 712.70 and which referenced Sec. 790.106, defined it as “A non-retail use...” Since the term is not found in the Key, we assume it falls under “Service, Non-Retail Professional.” If that is correct, then it appears to provide services to the public as well. THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES.

Page 111, Line 6: Need to restore the reference to Section 135 entitled “Usable Open Space for Dwelling Units and Group Housing, R, NC, Mixed Use, C, and M Districts” so that it would parallel its source document.

Page 111, Line 20 for “Group Housing”: The “References” column shows only §208 entitled “Density Limits for Group Housing and Homeless Shelters” and deletes §207 entitled “Dwelling Unit Density Limits”. Is the intent of this change to increase density?
THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES.

Page 111, Line 21, opposite “Accessory Dwelling Units”, under “Controls” column: clarify which law(s) apply to all districts. THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES WHICH SPECIFY ADU CONTROLS.

Page 112, Line 10, in the “References” column it mentions §145.1 which is also the reference for “Street Frontage Requirements” as on Page 110. How are these integrated?

Page 112, Line 14, for “Drive-up Facility”: the “(2)” in the “Controls” column appears to be in error.

Page 113, Line 24 for “Massage Establishment”: Current source document has a “#” in chart on Page, 63, Line 17, for which we could not find an explanation.

On Page 113, Line 24, for “Massage Establishments,” the reference should be changed to “303(n)” in the “Reference” column which is applicable to “Massage Establishments.” In addition, the reference to Health Code 29.32 entitled “Inspection” has been deleted. This section refers to inspections for massage establishments, and it is unclear if its deletion is intended as a substantive change.

West Portal Neighborhood Commercial District

Page 201, reference to “Design Guidelines” control: No comment is made regarding anything appearing for this guideline or to any references to the General Plan as a source. A
UNIVERSAL COMMENT APPLICABLE TO ALL ZONING CONTROL TABLES WHICH
SPECIFY ANY SUCH CONTROL.

Page 201, Line 11, in the “Controls” column: Add the following text “Car share parking as per §166,” as has been done for bike parking. A UNIVERSAL COMMENT APPLICABLE TO ALL ZONING CONTROL TABLES WHICH SPECIFY §166 AS A REFERENCE.

Page 202, Line 8 in the “Controls” column for “”Residential Conversion, Demolition, or Merger”: We do not understand the narrative. A UNIVERSAL COMMENT FOR THIS ZONING CATEGORY.

Miscellaneous

Pages 18-30: We would like from Staff a simpler explanation of the additions, changes, and deletions of non-conforming uses.

On Page 26, Line 21, of the proposed legislation which reflects a “crossed-out” version of existing law, there is a category entitled “Service, Business or Professional.” Is the transitional description in new Sec. 102, “Service, Retail Professional”? If the correlation is intentional, is that true also with the deletion of the elimination for on-site storage?

On Page 86, Lines 2-10, the summary description of Neighborhood Commercial Districts has replaced serial such descriptions for each of the NC Districts. As a consequence, detail applicable to some or all is eliminated. For example, the references to rear yard requirements are eliminated. Moreover the new description introduces the concept of “low to high density” without explaining the meaning. This needs to be clarified and shown to be part of the existing Article 7 unless, of course, this is an intentional substantive change. If so, why is it being introduced?

In addition, on Page 86, at Line 5, change second “commercial” to “residential” and at Line 6, change “Residential” to “Commercial.”

Other Observations and Comments

Please refer to the Letter under this heading. In addition, with the Urban Design Guidelines now out in draft form, the likely new Residential Guidelines which may be published next year and with the Article 8 reorganization waiting somewhere in the wings, we again urge you to NOT give piecemeal approval now to Article 7, but wrap it together with these other major pieces for an overall approval. This is the most comprehensive restructuring in years, if not ever. The summary programs being given are not really informing neighborhoods what is happening. This brings us to our next suggestion.

Prepare a Video Tutorial of “How Article 7 Works”

In working through Article 7 for these two letters, we have spent upwards of 50 person hours on the project. The Staff has spent over a year developing the transition structure utilizing, we are sure, a large block of person hours, including time spent with Supervisor Tang’s Staff to fashion changes which they wanted for the Neighborhood Commercial Districts within the Supervisor’s district. As we are sure that the Staff found there, for groups to understand the “why and how,” it was necessary to get into the “weeds.”

That cannot happen in the short periods of time which have been spent explaining the project, as the programs given have assumed a certain level working knowledge which we do not believe is extant. This is not meant as a criticism of Staff.

As Staff and we have mentioned, some groups, if informed, may wish to go through their Supervisor to seek changes to their controls. We know of three which are currently considering that, and in each case, they are getting into the “weeds.” For example, how many groups really know that commercial facilities such as restaurants can stay open 24 hours a day, as is the case in some Commercial Districts? Hardly any.

So we are proposing the following and will be happy to participate. There needs to be a comprehensive tutorial video prepared which gets into the “how and the why” and walks through how the control tables work and what they mean. Using the Department’s equipment and creating a program which runs maybe an hour to an hour and a half, to just walk viewers through the universal ground rules, at least by category, and couple of sets of tables, the “locals” will be in a better position make their own decision to seek changes or not and become even more informed or not.

The video could be posted on the Planning Department website with a link to that on the Coalition’s website. We could provide at least two people to be part of the “cast” and work on the production as well.

We hope that you will seriously consider this approach to inform the neighborhoods and will hold off on moving Article 7 until it can be offered as part of a larger package of a vetted Article 8 and Urban and Residential Design Guidelines.

The list of participants appears below and reflects electronic authorization to use their names.

George Wooding, Midtown Terrace Homeowners Association & President of CSFN

Marlayne Morgan, Cathedral Hill Neighbors Association & 1st Vice President of CSFN

Rose Hillson, Jordan Park Improvement Association and Delegate to CSFN

Paul Webber Telegraph Hill Dwellers & Delegate to CSFN



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TO: **George Wooding**, Midtown Terrace Homeowners Association & President of CSFN
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Rose Hillson, Jordan Park Improvement Association and Delegate to CSFN
Paul Webber, Telegraph Hill Dwellers & Delegate to CSFN

FROM: **Aaron D Starr**, Manager of Legislative Affairs

RE: Response to CFSN's letter dated September 4, 2016

1. **Table 145.4, Page 14, Line 17: There also needs to be some work done on "Amusement Game Arcade," which has a cross-reference to Article 8 which has not been published yet and the controls have been changed from "C/NP/NP" to "C/C/C" for arcade floors in NC-3 for example. This appears to be substantive and we are unclear as to why this change was made.**

As part of the Article 2 Reorganization, Staff made the decision to delete Amusement Game Arcade definition and fold it into the General Entertainment definition in Section 102. This change was documented in the case report and discussed at the hearing. From the October 23, 2014 Executive Summary:

Amusement Game Arcade. The proposed Ordinance removes the Amusement Game Arcade as a separate use and consolidates it into General Entertainment. Amusement Game Arcade was added as a separate use to the Planning Code in the 1980s because of concerns over the proliferation of video game arcades in the City, and the perceived impact that they had on the City's teenage population. While video game arcades are making a small comeback as a novelty use, Staff finds that the land use impacts associated with arcades is similar to other general entertainment uses and does not need to be called out as a separate use in the Code.

However, this is a substantive change in some districts and should be called out in the ordinance. The ordinance title will be modified to call out this change out.

2. Table 145.4, Page 16, Line 3 introduces a category called “Sales and Services, General Retail,” and leaves intact 2 other categories, “Sales and Services, Other Retail” and “Sales and Services, Retail” whereas neither the Key nor the various Zoning Control Tables do not use those terms. This was confusing to read and these terms need to be re-worked for transitional consistency. Once this is completed, the corrected terms need to be included in Section 102.

Section 145.4 lists the areas of the City where active ground floor uses are required and Table 145.4 lists the uses that are considered Active Commercial Uses. This section covers all zoning districts in the City, so the Key would not correspond to all the uses in this chart since the Key only works with the new uses listed in Section 102. You’ll notice in the columns to the left that the references to Article 7 are being removed since the definitions in Section 790 are being removed; however, the references to Article 8 are not. The references to Article 8 will be removed as part of Phase 3.

The use category *Retail Sales and Service, General* is replacing *Sales and Service, Other Retail*, both of which are catchalls for anything not listed separately in the use category *Retail Sales and Service*.

The inclusion of the *Retail Sales and Service* category is confusing since that is a use category and not a use. This is an existing condition in the Code, and not one created by this Ordinance. The fact that uses included in the use category *Retail Sales and Service* are listed in the chart, and that the use category itself is listed in the chart is contradictory. We don’t believe that it was the intention to include all uses listed under *Retail Sales and Service* if individual uses are also called out. After further discussing this with the ZA’s office, we are proposing to delete the reference to Section 102 and in its place put an N/A.

3. Table 145.1, Page 16, Lines 9 and 13: These specific defined terms (“Service, Health” and “Service, Medical”) do not track with the source document. Please conform.

I’m assuming you are referring to Table 145.4 and not 145.1. Medical Services was changed to Health Services as part of the Article 2 Reorganization. This was done because “health” seemed more fitting for the definition than “medical,” which implies a doctor’s services. Not all the services under Medial or Health

Services are performed by a doctor. The definitions are the same; it's just the name that has changed. Also, Medical Services is still in the chart because it still exists in Article 8.

4. **Page 65, Line 6, of current law reflected in the “crossed-out version” thereof, the term “Administrative Service” which was Sec. 712.70 and which referenced Sec. 790.106, defined it as “A non-retail use...” Since the term is not found in the Key, we assume it falls under “Service, Non-Retail Professional.” If that is correct, then it appears to provide services to the public as well. THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES.**

From the October 23, 2014 Executive Summary:

Administrative Services (790.106 and 890.106) is a non-retail sales and service use not open to the public, and was originally added to the Code to allow for clerical services to locate within Neighborhood Commercial Districts. It was intended to be distinct from a General Office use, which is not permitted in neighborhood commercial districts. Business of Professional Services (790.108, 890.108) is a similar use, but is a retail use and open to the public. It also includes administrative and clerical uses in addition to real-estate brokers, advertising agencies, public relation agencies and the like. In order to accommodate for both the retail and non-retail aspects of these two uses and to clarify the difference between these uses, staff changes the names of these uses to Non-Retail Professional Services (previously Administrative Services) and a Retail Professional Service (previously Professional Services). The Department continued to have internal discussions as to whether or not these uses distinctions are needed anymore, and there is an effort to reexamine how we regulate office uses in Neighborhood Commercial Districts; however, for this Ordinance, Staff has maintained these uses in order to avoid making larger policy changes.

5. **Page 111, Line 6: Need to restore the reference to Section 135 entitled “Usable Open Space for Dwelling Units and Group Housing, R, NC, Mixed Use, C, and M Districts” so that it would parallel its source document.**

Section 135 should be in the reference column and will be added to the Reference Column.

6. Page 111, Line 20 for “Group Housing”: The “References” column shows only §208 entitled “Density Limits for Group Housing and Homeless Shelters” and deletes §207 entitled “Dwelling Unit Density Limits”. Is the intent of this change to increase density? **THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES.**

No, it is not intended to increase density. Section 207 does not apply to Group Housing or Homeless Shelters. From Section 207(a) (emphasis added):

- (a) ***Applicability.** The density of dwelling units permitted in the various Districts shall be as set forth in the Zoning Control Table for the district in which the lot is located. The term “Dwelling Unit” is defined in Section 102 of this Code. In districts where no density limit is specified, density shall not be limited by lot area but rather by the applicable requirements and limitations set forth elsewhere in this Code. Such requirements and limitations include, but are not limited to, height, bulk, setbacks, open space, exposure and unit mix as well as applicable design guidelines, elements and area plans of the General Plan and design review by the Planning Department.*

7. Page 111, Line 21, opposite “Accessory Dwelling Units”, under “Controls” column: clarify which law(s) apply to all districts. **THIS IS A UNIVERSAL COMMENT AND IS APPLICABLE TO ALL ZONING CONTROL TABLES WHICH SPECIFY ADU CONTROLS.**

It isn’t clear to me what you are asking here; however, since this ordinance was drafted the rules for ADUs have changed. ADUs are now allowed in all zoning district in the City that allow Dwelling Units, except RH-1(D) districts which are subject to state law. Planning and the City Attorney’s office is in the process of updating the proposed ordinance to reflect recent changes to the Planning Code including the ADU ordinance, the WTS Facilities ordinance and the revised controls for Section 317, Loss of Dwelling Units.

8. Page 112, Line 10, in the “References” column it mentions §145.1 which is also the reference for “Street Frontage Requirements” as on Page 110. How are these integrated?

Section 145.1 regulates street frontages in various district of the City, including NC and NCT districts. Among other things, it has requirements for Above Grade Parking Setbacks, and Parking and Loading Entrances. It's referenced under parking controls because of these requirements

9. **Page 112, Line 14, for "Drive-up Facility": the "(2)" in the "Controls" column appears to be in error.**

It is. It will be removed.

10. **Page 113, Line 24 for "Massage Establishment": Current source document has a "#" in chart on Page, 63, Line 17, for which we could not find an explanation.**

The # references this text in the existing NC-3 Table Under, "SPECIFIC PROVISIONS FOR NC-3 DISTRICTS":

MESSAGE ESTABLISHMENT

Controls: Massage shall generally be subject to Conditional Use authorization. Certain exceptions to the Conditional Use requirement for massage are described in Section 790.60(c). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(c), the additional criteria described in Section 303(n).

This language was not included in the proposed NC-3 District zoning control table because it is redundant and outdated. The pertinent controls exist in other more logical places in the Code. For example the controls for massage uses in NC-3 Districts are a C in the zoning control table, and Section 303(o) (formerly 303(n)) is referenced in the reference section in the zoning control table.

11. **Page 201, reference to "Design Guidelines" control: No comment is made regarding anything appearing for this guideline or to any references to the General Plan as a source. A UNIVERSAL COMMENT APLICABLE TO ALL ZONING CONTROL TABLES WHICH SPECIFY ANY SUCH CONTROL.**

The Urban Design Guidelines are located in the Commerce and Industry Element of the General Plan. They are currently used by our urban design team (UDAT)

when reviewing proposed projects in Neighborhood Commercial Districts. From the first paragraph of the Urban Design Guidelines:

The following guidelines for urban design are intended to preserve and promote positive physical attributes of neighborhood commercial districts and facilitate harmony between business and residential functions. The pleasant appearance of an individual building is critical to maintaining the appeal and economic vitality of the businesses located in it, as well as of the whole neighborhood commercial district. An individual project's building design and site layout should be compatible with the character of surrounding buildings and the existing pattern of development in neighborhood commercial districts.

- 12. Page 201, Line 11, in the "Controls" column: Add the following text "Car share parking as per §166," as has been done for bike parking. A UNIVERSAL COMMENT APPLICABLE TO ALL ZONING CONTROL TABLES WHICH SPECIFY §166 AS A REFERENCE.**

Staff will take this under advisement.

- 13. Page 202, Line 8 in the "Controls" column for "'Residential Conversion, Demolition, or Merger": We do not understand the narrative. A UNIVERSAL COMMENT FOR THIS ZONING CATEGORY.**

Now that Section 317 has been revised, the language regarding Mandatory DR will be deleted. All loss of dwelling units now requires CU authorization. This should clarify and simplify this section.

- 14. Pages 18-30: We would like from Staff a simpler explanation of the additions, changes, and deletions of non-conforming uses.**

The intention behind the changes to Section 182 and 183, and the deletion of Section 186.1 is to consolidate the non-conforming use controls into fewer section of the Planning Code, one for Change of Use for Non-Conforming Uses, and one for Discontinuance of Non-conforming uses. Section 186.1 has controls specific to NC Districts. This Section was deleted and the controls were integrated into the other Sections of the Code.

After further consultation with the Zoning Administrator, Staff decided to remove these proposed changes. Article 1.7 is overly complicated and does need to be significantly rethought and simplified even more than what is proposed in this ordinance; however the breadth and depth of such reorganization would better be handled in a separate standalone ordinance.

- 15. On Page 26, Line 21, of the proposed legislation which reflects a “crossed-out” version of existing law, there is a category entitled “Service, Business or Professional.” Is the transitional description in new Sec. 102, “Service, Retail Professional”? If the correlation is intentional, is that true also with the deletion of the elimination for on-site storage?**

The Use category *Business or Professional Services* was split up into three different uses so that existing controls in other zoning districts could be maintained. Dividing one use into three allows for a more fined grained regulation of the use in NC Districts should those changes be pursued; however it does not make a substantive change to the NC Districts as the three uses it was divided into are being controlled the same way as *Business or Professional Services*.

Trade Office

From the Definition of *Business or Professional Service*:

It also includes business offices of building, plumbing, electrical, painting, roofing, furnace or pest control contractors, if no storage of equipment or items for wholesale use are located on-site. It may also include incidental accessory storage of office supplies and samples. Parking, loading and unloading of all vehicles shall be located entirely within the building containing the use.

Retail Professional Services

From the Definition of *Business or Professional Service*:

A retail use which provides to the general public, general business or professional services, including but not limited to, architectural, management, clerical, accounting, legal, consulting, insurance, real estate brokerage, and travel services.

Design Professional

From the Definition of *Business or Professional Service*:

A retail use which provides to the general public, general business or professional services, including but not limited to, architectural, management, clerical, accounting, legal, consulting, insurance, real estate brokerage, and travel services.

- 16. On Page 86, Lines 2-10, the summary description of Neighborhood Commercial Districts has replaced serial such descriptions for each of the NC Districts. As a consequence, detail applicable to some or all is eliminated. For example, the references to rear yard requirements are eliminated. Moreover the new description introduces the concept of “low to high density” without explaining the meaning. This needs to be clarified and shown to be part of the existing Article 7 unless, of course, this is an intentional substantive change. If so, why is it being introduced?**

The individual descriptions for each NC District still exist; the text that was added is intended to provide a general description of NC Districts. The Code has a description of the NCT District, but not one for NC District so one was added. The description was drafted in consultation with the ZA’s office and current Planning. It is not a significant change as it doesn’t change any controls and serves only to provide the reader with a basic understanding of what NC districts are, as the NCT District description is intended to do.

Part of the confusion might be that the descriptions for some NC Districts are not shown in ordinance. Instead you’ll see this: * * * *. That indicates that there is text missing from the section that is not being amended. In other sections there is text that has been deleted and added. This is because we reorganized the NC and NCT districts so that they are grouped together. NC Districts go from Section 710 to Section 734 and NCT Districts go from Section 750 to Section 764.

- 17. In addition, on Page 86, at Line 5, change second “commercial” to “residential” and at Line 6, change “Residential” to “Commercial.”**

See the answer above for reference. This proposed change would make the sentence inaccurate. This sentence is referencing mainly NC-1 Districts, which are small clusters of commercial activity within residential districts; they are not small clusters of residential activity in commercial districts.

Other Observations and Comments

This request seems to be asking that we make the Article 7 Reorganization ordinance even more complicated. One of CFSN's main complaints is that this project is too large and complicated already, so I'm struck by this inconsistency.

Adding two other large unrelated projects to this already large project would make it unnecessarily complicated. The Residential Design Guidelines do not impact NC Districts; they only impact R Districts, which were handled under Phase 1 of this project. The Urban Design Guidelines will not change the development standards or use controls for Article 7 Districts and therefore can and should proceed separately from this reorganization effort.

The Existing Urban Design Guidelines are located in the General Plan's Commerce and Industry element and already apply to NC Districts. If and when new Urban Design Guidelines are adopted they will supersede the existing guidelines.

Prepare a Video Tutorial of "How Article 7 Works"

Regarding substantive changes to other NC Districts:

If there are neighborhood groups that want to make changes to their NC District controls they should reach out to their district supervisor. With few exceptions, the intent of this ordinance is not make changes to NC District controls, but to preserve as best we can the existing controls. That has been the intention of the Code Reorganization project all along. Doing what you have requested would significantly expand the scope of this ordinance and make it much more complicated. The example you site of businesses being able operate for 24 hours a day is an existing contrition and not being changed by this ordinance. As far as staff knows, it has been that way since the NC Districts were adopted in the mid-80s.

Regarding the video

Our communications team is interested in expanding our instructional video library to include a video on how to read the Planning Code. They just completed a video on our Accessory Dwelling Unit controls, and have recently hired a new person who will focus on videos and other graphic work. This isn't something that can be accomplished within the next few weeks or months, and is not necessary for the reorganization to move forward. Our communications team, headed by Gina Simi, would be happy for

your input and participation in developing such a video and I encourage you to contact her about the project.



www.csfn.net • PO Box 320098 • San Francisco CA 94132-0098 • 415.262.0440 • Est 1972

October 17, 2016

Members of the San Francisco Planning Commission
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

sent via email

Re: Proposed Reorganization of Article 7 of the Planning Code

Ladies and Gentlemen,

We have previously written to the Department on two separate occasions regarding the wholesale reorganization of Article 7 of the Planning Code, which applies to Neighborhood Commercial Districts (NCDs), Commercial Transit Districts (NCTDs) and certain other districts. In both letters, we emphasized that while the Staff has given assurances that no substantive changes are being made, that is just not correct. In addition to the changes which we have offered, of which have been many there are at least two specific NCDs which have offered substantive changes as well. Frankly, we are under the impression that the Staff is looking to us to come up with problematic changes, after assuring us that there are none.

We have also expressed our concern about the lack of true outreach by the Department and the summary nature of the meetings which have been held. Our experience is that at least 50 or more hours are needed per NCD to digest and comprehend what is really going on in the reorganization, what with definitional changes and movement changes in cross references and tabular redesign and modifications. We understand that many months were involved in the NCD changes to Districts within Supervisor Tang's supervisorial district.

Finally for now, we wanted to specifically call to your attention, the puzzling addition of a section called "SEC. 803.3 " (There was a comparable section, called "Section 701.3" in the Article 2 reorganization legislation.). That section provides, among other things the following:

"Any other discrepancy [between an (sic)] Article 1, 2 or 7 references in this section of the Code [which is in the Article yet to be produced which is to address Mix Use districts] and the actual or intended reference shall be arbitrated by the Zoning Administrator [a non-elected official under the supervision of the Planning Department] on a case by case basis. Any other discrepancy between an Article 1, 2 or 7 reference in this Section of the Code and the actual or intended reference shall be arbitrated by the Zoning Administrator on a case-by-case basis."

The import of this provision (which we believe is internally duplicative) is to let an un-elected official referee which is the appropriate section of conflicting legislation which clearly is a legislative act, and as such can only be done by the Board of Supervisors. We are surprised that the City Attorney would let this be published.

The fact that it is even included points up the need for a much more detailed review of each section directly between the Staff and affected NCDs and others districts, BEFORE the Article 7 reorganization legislation is passed. The Department as such should not be resolving unintended consequences of legislation by the action of a Staff person with absolutely no standards, with the effect being to eliminate, possibly improperly, conflicting provision, but come up with an opposite conclusion the next time. They do not know how the Board of Supervisors would have voted had they known about the conflict. That should be done before the legislation is passed. Our concerns about this are falling on deaf ears.

Accordingly, we feel it imperative that you be made aware of what the Article 7 legislation does (as did the Article 2 legislation) to solve an inadequate job of preparation, review and meaningful outreach, and that is to just legislate away the problem on ad hoc basis by the Staff, rather than by action of the Board. We urge you to put the Article 7 legislative process on hold indefinitely until the Staff advises you that the conflict provision can be removed OR so that it is replaced with language for the requisite action by the Board of Supervisors.

The list of participants appears below and reflects electronic authorization to use their names.

George Wooding, Midtown Terrace Homeowners Association & President of CSFN
Marlayne Morgan, Cathedral Hill Neighbors Association & 1st Vice President of CSFN
Rose Hillson, Jordan Park Improvement Association and Delegate to CSFN
Paul Webber Telegraph Hill Dwellers & Delegate to CSFN

cc: Planner Aaron Starr, Planning Department Director John Rahaim, Commissions Secretary Jonas Ionin, San Francisco Board of Supervisors, Clerk of the Board of Supervisors



November 8, 2016

Planning Commissioners of the City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

hand-delivered & sent via email

Re: Article 7 of the Planning Code of the City and County of San Francisco

Dear President Fong and Planning Commissioners:

We are submitting this as you consider what action to take on November 17, 2016, relative to the proposed reorganization of Article 7.

At your June 30, 2016 meeting, in response to concerns about the enormity of the Staff's proposed reorganization of Article 7, we committed to you to make an effort to work with Staff, as we had with the Article 2 reorganization (Staff and we agreed this work was beneficial) to see if there were, as the Staff had stated, no substantive changes made to Article 7.

Due to the breadth of Article 7 and its impact throughout the City, and being told it took one supervisor 18 months to work with Staff on her own District, it became apparent that we could only do minimal samplings in the estimated time allotted, which we did and so stated in our three response letters. We found substantive changes and reported them in our letters and in our oral and written public comment statements. Two of our prior letters to Staff and you may be found on CSFN.NET in our newsletters. We understand that a few engaged representatives of specific NCDs had substantive changes not previously listed in the June 30 Executive Summary as well and had met with Staff regarding them.

We also believe that the outreach was too summary in nature, and, with only 4 persons total from the entire City attending the two Department meetings, it is an not an understatement to say that it was not well attended. This poor attendance may also have been lacking through the Department's lack of major outreach efforts and even further diminished by Staff's assurances that there were NO substantive changes during presentations. We have offered suggestions as to how that may be overcome, if, indeed, an informed group of NCDs is the goal.

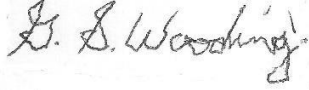
Throughout this process and to date, Staff has not answered one key question asked repeatedly: Do the "Urban Design Guidelines" (UDG) referenced in the "Controls" column of all the Article 7 Tables refer to those in the General Plan, Commerce and Industry Element ONLY?

Staff's collective response to our findings appeared in AnMarie Rodgers' October 20, 2016 email on which you were copied.

You now have before you our findings, based upon our limited samplings and, in stark contrast, the Staff's position. The latter promotes accelerated action without real review of the Staff's assurances, and urges "we'll fix it as we go along," without seeking out, now, possible unintended consequences, and our suggested approach which promotes caution and a much deeper review and analyses by the Staff with much greater NCD input and Commission oversight. What is the need for speed?

It is now for you to decide.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "G. S. Wooding". The signature is written in a cursive, somewhat stylized font.

/s/ George Wooding, Midtown Terrace Homeowners Association & President of CSFN

/s/ Marlayne Morgan, Cathedral Hill Neighbors Association & 1st Vice President of CSFN

/s/ Rose Hillson, Jordan Park Improvement Association & Delegate to CSFN

/s/ Paul Webber, Telegraph Hill Dwellers & Delegate to CSFN

cc: Aaron Starr, AnMarie Rodgers, Director John Rahaim, Commissions Secretary Jonas Ionin, President of the Board of Supervisors London Breed, Supervisors: Eric Mar, Mark Farrell, Aaron Peskin, Katy Tang, Jane Kim, Norman Yee, Scott Wiener, David Campos, Malia Cohen, John Avalos

From: [Inge Horton](#)
To: [Starr, Aaron \(CPC\)](#)
Subject: Comments re Code Reorganization Art.7
Date: Friday, January 06, 2017 10:36:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Aaron,

Thank you for arranging the community meetings for the reorganization of the Code, in particular Article 7. I think it is a good idea to have all definition of uses in Section 2.

I am writing to state again my concerns about the Taraval NCD and its # signs or super numerals inserted to refer to the Taraval Street Restaurant Subdistrict. They are making the table less clear for potential users.

My suggestion is to put the actual controls into the Taraval NCD table and create an Outer Sunset Restaurant Subdistrict with restrictions on Eating and Drinking Uses. This Outer Sunset Subdistrict could then also be expanded to the new commercial development at the western end of Sloat Boulevard, if necessary and desired, and other cluster districts in the Outer Sunset. Of course, this idea has to be presented to Supervisor Tang to gain her support.

On page 81 line 15 (section 702.a) please insert an abbreviation NCTD after the name of the district.

The naming of Section 702.a (NC Special Use Districts) and Section 702.c (NC Restricted Use Districts) are very similar and I am wondering if not more distinctive names could be found.

Starting with the Zoning Control Tables(Section 202) on p.38 it would be helpful to spell out the names of the districts in the header above the actual tables. The occasional user may not know what a DPR District is and maybe not even RM District. It is already done for the RC Districts but should be for all districts for ease of use and clarity.

Thanks for your attention to my suggestions.

Inge Horton

From: [Starr, Aaron \(CPC\)](#)
Sent: Wednesday, January 04, 2017 1:14 PM
To: ingehor@pacbell.net
Subject: Code Reorganization Page

Inge,

Here's the link to the web page, which also has a link to the ordinances: <http://sf-planning.org/code-reorganization-project>

Thanks,

Aaron Starr, MA
Manager of Legislative Affairs

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

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