



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code Text Change

HEARING DATE: SEPTEMBER 19, 2013

*Project Name:* **Nonconforming Units: Enlargement, Alteration, or Reconstruction**  
*Case Number:* 2013.1164T [Board File No. 130783]  
*Initiated by:* Supervisor Avalos / Introduced July 30<sup>th</sup>, 2013  
*Staff Contact:* Sophie Hayward, Legislative Affairs  
sophie.hayward@sfgov.org, 415-558-6372  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
*Recommendation:* **Recommend Approval**

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### PLANNING CODE AMENDMENT

The proposed Ordinance was introduced by Supervisor Avalos on July 30<sup>th</sup>, 2013, and would amend the Planning Code to permit the enlargement, alteration, or reconstruction of a nonconforming dwelling unit within the building's existing envelope. The draft Ordinance would apply to those units that are located in districts in which dwellings are permitted. The draft Ordinance would also extend the existing provision for the expansion of nonconforming dwelling units in PDR Zoning Districts to nonconforming dwellings in the M-2 Zoning District.

A related – and more extensive – piece of legislation sponsored by Supervisor Avalos (Board File 130041, Planning Department Case Number 2013.0134T), was considered by the Planning Commission at its July 18, 2013 public hearing. At that hearing, Supervisor Avalos agreed to divide the legislation into two separate components: one that addresses the loss of dwelling units, and a second – addressed in this report and in the attached draft Ordinance – that focuses on opportunities to expand, alter, or reconstruct legal, nonconforming units that exceed the permitted density. In the Executive Summary for the item at the July 18<sup>th</sup> Planning Commission hearing, the Department noted that while it is "...generally supportive of the amendments, careful consideration should be given to the potential for unintended implications to the affordability of existing nonconforming residential units."<sup>1</sup> After the July 18<sup>th</sup> hearing, Supervisor Avalos modified the proposal for nonconforming units and introduced the revised approach on July 30<sup>th</sup>, 2013.

#### The Way It Is Now:

**Planning Code Section 181** describes the provisions for enlarging, altering, and reconstructing a nonconforming structure.<sup>2</sup>

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<sup>1</sup> Planning Department Case Report for Case No. 2013.0134T, published on July 11, 2013 for the July 18, 2013 Hearing, "Executive Summary," Page 13. Available online at: <http://www.sf-planning.org/index.aspx?page=3534> (September 11, 2013).

<sup>2</sup> Planning Code Section 180(a)(2) defines a nonconforming structure as "a structure which existed lawfully at the effective date of this Code, or of amendments thereto, and which fails to comply with one or more of the regulations for structures, including

- **Section 181(c)** notes that in a building that has a total number of dwelling units that exceeds the permitted density in a given zoning district, units that exceed the permitted density are considered nonconforming. Designated nonconforming units may not be enlarged, altered, or reconstructed in a manner that increases their nonconformity.
- **Section 181(h)** prohibits the addition of new dwelling units in the Production, Distribution, and Repair (PDR) Zoning Districts, but allows the expansion and alteration of existing units in a manner consistent with the controls applicable to the Urban Mixed Use (UMU) District.

#### The Way It Would Be:

**Planning Code Section 181**, which outlines provisions for enlargements, alterations, and reconstruction of nonconforming uses, would be amended as follows:

- **Amendment to Section 181(c)** would allow, in zoning districts in which dwelling units are principally permitted, units that are nonconforming as to the zoning district's permitted density to be enlarged, altered, or reconstructed, provided that the alterations not extend beyond the building's envelope as it existed on January 1, 2013.
- **Amendment to Section 181(h)** would add dwelling units in the M-2 Zoning District to the existing provision that allows dwellings within PDR Zoning Districts to be expanded subject to Planning Code requirements applicable in the UMU Zoning District.

#### REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

#### RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

#### BASIS FOR RECOMMENDATION

As noted above, the Department initially had concerns regarding potential impacts to the affordability of legal, nonconforming units as a result of expansions and alterations. However, the draft Ordinance includes substantive modifications to the original proposal that reduce the likelihood that expanding nonconforming units would make them less affordable. Specifically, the draft Ordinance limits expansion to the existing building envelope, a change that the Department believes will: 1) prevent extensive alterations that could transform a small unit into a much larger and, therefore, more expensive unit; and, 2) avoid a scenario by which, through serial permits, a building could first be enlarged, and then the nonconforming unit subsequently expanded to the new envelope in order to significantly increase the size of the unit. As proposed, permitted expansions will be limited in size and scope, and may encourage the improvement of the city's existing unsubsidized affordable housing stock.

The draft Ordinance includes a provision that would extend existing controls for the expansion of dwellings in the PDR Zoning Districts to dwellings within the M-2 Zoning District. While the controls for

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requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5, 6, 7 and 8 of this Code, that then became applicable to the property on which the structure is located."

the M-2 and PDR Zoning Districts do not permit the addition of new dwelling units, the Department is supportive of the draft Ordinance as it applies a consistent approach to the expansion of existing, legally constructed nonconforming units across zoning districts.

## **ISSUES AND CONSIDERATIONS**

The Department continues to support the added flexibility that the draft Ordinance affords existing nonconforming residential units.

For the purposes of this report, nonconforming units are legal units – constructed with benefit of permits – that do not conform to current density controls. Generally speaking, these units are in older buildings constructed prior to the establishment of current zoning districts; a typical example is a three-unit building located in an RH-2 zoning district, or a larger apartment building located on a corner parcel within an RH-2 zoning district.<sup>3</sup>

Currently, buildings that contain a greater number of units than is permitted by the zoning district in which they are located must designate units as either “conforming,” or “nonconforming.” Only those units that are conforming may be expanded or otherwise altered. Building owners may choose which units to designate as conforming or nonconforming, which means that most often the smallest or least desirable units are made the nonconforming units.

Based on information from the Department’s Information and Analysis group, of the approximately 360,000 dwelling units in the City, nearly 52,000 units exceed the permitted zoning of the parcel on which they are located, representing close to 14% of existing units in the City – and, as noted above, many of these units provide unsubsidized affordable housing.

The amendments to controls for nonconforming units in Section 181(c) and Section 181(h) included in the draft Ordinance would provide increased flexibility, which could encourage the improvement, expansion, or production of family-sized housing across zoning districts.

## **ENVIRONMENTAL REVIEW**

The proposed Ordinance reviewed and determined to be not a project pursuant to CEQA Section 15060(c)(2) on August 14, 2013. Please note that individual projects will undergo physical environmental review.

## **PUBLIC COMMENT**

Staff has received no public comment at the time of the publication of this report.

<b>RECOMMENDATION:</b> <b>Recommendation of Approval</b>
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### **Attachment:**

Exhibit A:            Draft Planning Commission Ordinance

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<sup>3</sup> The age of the structure, together with the prohibition to expand, means that very often nonconforming units are among the city’s most affordable housing stock, and are often subject to rent control. While these units are affordable, they are not, by definition, so-called “secondary units,” or “illegal in-law” units, as they were legally constructed with permits.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution Planning Code Text Change

HEARING DATE: SEPTEMBER 19, 2013

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*Recommendation:* **Recommend Approval**

**RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO PERMIT THE ENLARGEMENT, ALTERATION, OR RECONSTRUCTION OF A DWELLING OR OTHER HOUSING STRUCTURE THAT EXCEEDS THE PERMITTED DENSITY OF THE DISTRICT IF DWELLING UNITS ARE PRINCIPALLY PERMITTED IN THE DISTRICT AND THE ENLARGEMENT, ALTERATION, OR RECONSTRUCTION DOES NOT EXTEND BEYOND THE BUILDING ENVELOPE AS IT EXISTED ON JANUARY 1, 2013; AND ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.**

WHEREAS, on July 30, 2013, Supervisors Avalos introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 13-0783, which would amend Section 181 of the Planning Code regarding nonconforming units;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 19, 2013; and,

WHEREAS, the proposed Ordinance has been determined to be exempt from environmental review under California Environmental Quality Act Section 15060(c)(2); and

WHEREAS, the Planning 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, 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 Planning Commission has reviewed the proposed Ordinance; and

**MOVED**, that the Commission hereby recommends that the Board of Supervisors *approve* the draft Ordinance and adopts the attached Resolution to that effect.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The proposed Ordinance would add protection and flexibility for existing nonconforming units;
2. That the proposed Ordinance includes safeguards against unintended implications to the affordability of existing nonconforming residential units.
3. Based on information from the Department's Information and Analysis group, of the approximately 360,000 dwelling units in the City, nearly 52,000 units exceed the permitted zoning of the parcel on which they are located, representing close to 14% of existing units in the City.
4. Generally speaking, these legal nonconforming units are in older buildings constructed prior to the establishment of current zoning districts.
5. The age of the structures, together with the existing prohibition to expand, means that very often nonconforming units are among the city's most affordable housing stock, and are often subject to rent control.
6. The draft Ordinance would provide increased flexibility for nonconforming units, which may encourage the improvement and expansion of existing unsubsidized affordable housing units.
7. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### I. HOUSING ELEMENT

#### OBJECTIVE 2

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

#### POLICY 2.4

Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

*The draft Ordinance will allow increased flexibility to expand nonconforming units, which may encourage maintenance of existing housing stock.*

#### OBJECTIVE 3

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS

**POLICY 3.1**

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

**POLICY 3.4**

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

*The draft Ordinance is intended to provide increased flexibility to upgrade and to improve existing nonconforming units, many of which are naturally and unsubsidized affordable units.*

8. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed amendments will not have a negative impact on neighborhood serving retail uses and will not impact opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance is intended to protect existing housing and neighborhood character through increased flexibility regarding expansion and alteration of nonconforming units.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would encourage the improvement and enhancement of the existing unsubsidized affordable housing stock by allowing alterations and expansion of units that are nonconforming as relates to density.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance will not negatively impact the City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*Landmarks and historic buildings would not be negatively impacted by the proposed Ordinance.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance.*

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 19, 2013.

Jonas P. Ionin  
Acting Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

**LEGISLATIVE DIGEST**

[Planning Code - Nonconforming Uses; Enlargements and Alterations]

**Ordinance amending the Planning Code to permit the enlargement, alteration or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013; making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.**

Existing Law

Planning Code Section 181 prohibits the enlargement, alteration, and reconstruction of a structure occupied by a nonconforming use unless the result will be elimination of the nonconforming use except as specified in Section 181.

Amendments to Current Law

Section 181 is amended to permit enlargement, alteration, or reconstruction of a dwelling or other housing structure exceeding the permitted density for the district in which it is located where (1) the dwelling or other housing structure is located in a district where a dwelling unit is a principally permitted use and (2) the enlargement, alteration, or reconstruction does not otherwise extend beyond the building envelope as it existed on January 1, 2013.

Background Information

As applied to existing housing in areas where dwelling units are principally permitted uses, the current requirement is too strict and does not conform to San Francisco's housing policies.

1 [Planning Code - Nonconforming Uses: Enlargement, Alteration or Reconstruction]

2

3 **Ordinance amending the Planning Code to permit the enlargement, alteration or**  
4 **reconstruction of a dwelling or other housing structure that exceeds the permitted**  
5 **density of the district if dwelling units are principally permitted in the district and the**  
6 **enlargement, alteration or reconstruction does not extend beyond the building**  
7 **envelope as it existed on January 1, 2013; and making environmental findings and**  
8 **findings of consistency with the General Plan and the eight priority policies of Planning**  
9 **Code, Section 101.1.**

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

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

18

19 Section 1. Findings.

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

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

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

3  
4 Section 2. The Planning Code is hereby amended by revising Section 181, to read as  
5 follows:

6 **SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND**  
7 **RECONSTRUCTION.**

8 The following provisions shall apply to ~~non-conforming~~ nonconforming uses with respect  
9 to enlargements, alterations and reconstruction:

10 (a) Increases in nonconformity. A nonconforming use, and any structure occupied by  
11 such use, shall not be enlarged, intensified, extended, or moved to another location, with the  
12 exception of the construction of a mezzanine within a live/work unit and expansion of dwelling  
13 units in PDR Districts, unless the result will be elimination of the nonconforming use, except  
14 as provided ~~in Paragraph (b)(3) and (i)~~ below and in Section 186.1 of this Code. A  
15 nonconforming use shall not be extended to occupy additional space in a structure, or  
16 additional land outside a structure, or space in another structure, or to displace any other use,  
17 except as provided in Sections 182 and 186.1 of this Code.

18 (b) Permitted alterations. A structure occupied by a nonconforming use shall not be  
19 constructed, reconstructed or altered, unless the result will be elimination of the  
20 nonconforming use, except as provided in Section 186.1 of this Code and in Subsections (a)  
21 above and (d), (e), (f) ~~and~~ (g), (h) and (i) below, and except as follows:

22 (1) Ordinary maintenance and minor repairs shall be permitted where necessary  
23 to keep the structure in sound condition, as well as minor alterations, where such work is  
24 limited to replacement of existing materials with similar materials placed in a similar manner.

1 (2) Minor alterations shall be permitted where ordered by an appropriate public  
2 official to correct immediate hazards to health or safety, or to carry out newly enacted  
3 retroactive requirements essential to health or safety.

4 (3) Alterations otherwise allowed by this Code shall be permitted for any portion  
5 of the structure that will not thereafter be occupied by the nonconforming use, provided the  
6 nonconforming use is not enlarged, intensified, extended, or moved to another location.

7 (4) All other alterations of a structural nature shall be permitted only to the extent  
8 that the aggregate total cost of such other structural alterations, as estimated by the  
9 Department of Building Inspection ~~Public Works~~, is less than 1/2 of the assessed valuation of the  
10 improvements prior to the first such alteration, except that structural alterations required to  
11 reinforce the structure to meet the standards for seismic loads and forces of the Building Code  
12 shall be permitted without regard to cost.

13 (c) Dwellings nonconforming as to density. A dwelling or other housing structure  
14 exceeding the permitted density of dwelling units or other housing units set forth in Sections  
15 207.5, 208, 209.1, 209.2, or 215 of this Code for the district in which it is located shall be  
16 classified as a nonconforming use under Section 180 of this Code, but only to the extent that  
17 such dwelling or other housing structure exceeds the permitted density. In districts where a  
18 dwelling unit is a principally permitted use, this ~~This~~ Section 181 shall not apply with respect to  
19 enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or  
20 other housing structure, consisting of those dwelling units or other housing units which exceed  
21 the permitted density, so long as such enlargements, alterations, or reconstruction do not otherwise  
22 extend beyond the building envelope as it existed on January 1, 2013. Any dwelling unit or other  
23 housing unit coming within the density limit shall not be affected by this Section 181. Except  
24 as provided in Sections 181(h) and 182(e), no dwelling or other housing structure exceeding  
25 the permitted density of dwelling units or other housing units shall be altered to increase the

1 number of dwelling units or other housing units therein, or to increase or create any other  
2 nonconformity with respect to the dwelling unit or other housing unit density limitations of  
3 Section 209.1 or Section 209.2.

4 (d) Structures damaged or destroyed by calamity. Notwithstanding the foregoing provisions  
5 of this Section 181, a structure occupied by a nonconforming use that is damaged or  
6 destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored  
7 to its former condition and use; provided that such restoration is permitted by the Building  
8 Code, and is started within eighteen months and diligently prosecuted to completion. The age  
9 of such a structure for the purposes of Sections 184 and 185 shall nevertheless be computed  
10 from the date of the original construction of the structure. Except as provided in Subsection (e)  
11 below, no structure occupied by a nonconforming use that is voluntarily razed or required by  
12 law to be razed by the owner thereof may thereafter be restored except in full conformity with  
13 the use limitations of this Code.

14 For purposes of this Subsection (d), "started within eighteen months" shall mean that  
15 within eighteen months of the fire or other calamity or Act of God, the structure's owner shall  
16 have filed a building permit application to restore the structure to its former condition and use.

17 (e) Unreinforced masonry buildings. In order that major life safety hazards in structures  
18 may be eliminated as expeditiously as possible, a structure containing nonconforming uses  
19 and constructed of unreinforced masonry that is inconsistent with the requirements of the  
20 UMB Seismic Retrofit Ordinance, Ordinance No. 227-92, may be demolished and  
21 reconstructed with the same nonconforming use or a use as permitted by Planning Code  
22 Section 182; provided that:

23 (1) there is no increase in any nonconformity, or any new nonconformity, with  
24 respect to the use limitations of this Code;

1                   ~~(2) provided further that~~ the current requirements of the Building Code, the  
2 Housing Code and other applicable portions of the Municipal Code are met; and

3                   ~~(3) provided further that~~ such restoration or reconstruction is started within one  
4 year after razing or other demolition work on the structure and diligently prosecuted to  
5 completion.

6                   (f) **Nighttime Entertainment Uses in certain Mixed-Use Districts.** A nighttime entertainment  
7 use within the RSD, MUG, MUR, or SLR Districts may be enlarged, intensified, extended or  
8 expanded, including the expansion to an adjacent lot or lots, provided that:

9                   (1) the enlargement, intensification, extension or expansion is approved as a  
10 conditional use pursuant to Sections 303 and 316 of this Code;

11                   (2) the use as a whole meets the parking and signage requirements, floor area  
12 ratio limit, height and bulk limit, and all other requirements of this Code which would apply if  
13 the use were a permitted one; and

14                   (3) the provisions of Section 803.5(b) of this Code are satisfied.

15                   (g) **Automotive Sales and Service Signs in the Automotive Special Use District.** Automotive  
16 sales and service signs within the Automotive Special Use District which have all required  
17 permits but which do not comply with the controls for new signs established in Section 607.3  
18 of this Code shall be permitted to remain as nonconforming uses and shall be permitted to  
19 modify the signage text to describe new automobile ownerships and dealerships that may  
20 occur from time to time.

21                   (h) **Dwellings in PDR and M-2 Districts.** In PDR and M-2 Districts, no building containing  
22 a residential use shall be altered to increase the number of dwelling units or other housing  
23 units therein. However, individual dwelling units or other housing units may be expanded,  
24 subject to height, bulk, and all other provisions of this Code which would otherwise be  
25 applicable to dwelling units or other housing units in the Urban Mixed Use District.

1 (i) Nonconforming Non-Residential Uses in the Eastern Neighborhoods Mixed Use, PDR-1-  
2 D, and PDR-1-G Districts. In the Eastern Neighborhoods Mixed Use, PDR-1-D, and PDR-1-G  
3 Districts, a non-residential nonconforming use may expand in gross floor area by no more  
4 than 25 percent with conditional use authorization pursuant to Section 303 of this Code. Such  
5 conditional use authorization may not be granted for any subsequent or additional expansion  
6 beyond the initial 25 percent.

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

11 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
15 additions, and Board amendment deletions in accordance with the "Note" that appears under  
16 the official title of the ordinance.

17  
18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20 By: \_\_\_\_\_  
21 JUDITH A. BOYAJIAN  
22 Deputy City Attorney

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25