



SAN FRANCISCO PLANNING DEPARTMENT

New Planning Code Summary:

Noise Regulations Relating to Residential Uses Near Places of Entertainment

Code Changes:	Administrative Code Sections 116.1 – 116.11 Planning Code Section 314
Board File & Ord. No.	141298/070-15
Case Number:	2015-000180PCA
Initiated by:	Supervisor Breed
Effective Date:	June 19, 2015

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The Way It Was:

1. The Planning Department did not subject any residential projects to an Entertainment Commission outreach process involving project sponsors, operators of Places of Entertainment and the Entertainment Commission.
2. The Planning Department did not maintain a list of permitted Places of Entertainment.
3. The Planning Department did not notify project sponsors of their proximity to existing Places of Entertainment.
4. The Planning Department considered a project application complete regardless of input from the Entertainment Commission and Project Sponsors of residential projects within 300 feet of a Place of Entertainment were not required to provide evidence of having participated in an Entertainment Commission outreach process between the operator of adjacent Place of Entertainment and the Entertainment Commission.
5. The Planning Code did not explicitly require the Planning Department or the Planning Commission to consider the compatibility of uses when approving Residential Uses adjacent to or near existing permitted Places of Entertainment or to consider Entertainment Commission proceedings or comments regarding noise issues related to a project within proximity to a Place of Entertainment.
6. A Notice of Special Restrictions (NSR) was not required to be recorded with the Assessor-Recorder stating Administrative Code restrictions for projects within proximity to existing Places of Entertainment.

The Way It Is Now:

1. The following projects are now subject to the new Entertainment Commission outreach process, when they are located within 300 feet of a Place of Entertainment:
 - (A) Projects subject to the Planning Department's requirement for a Preliminary Project Assessment for residential use, pursuant to Planning Department policy;
 - (B) Projects subject to the Planning Department's Pre-Application Meeting requirement for new construction, pursuant to Planning Department policy; or
 - (C) Projects proposing a conversion of a structure from non-residential use to residential use.
2. The Planning Department will maintain a list of permitted Places of Entertainment, available to the public on its website and integrated in PIM, received from and updated by the Entertainment Commission.
3. Based on the list received from and updated by the Entertainment Commission, the Planning Department will notify a sponsor of a proposed Project subject to the new Entertainment Commission outreach process of its location within 300 radial feet of a Place of Entertainment at the earliest practicable time.
4. The Planning Department will not consider an application for a project located within 300 feet of a Place of Entertainment and subject to the new Entertainment Commission outreach process to be complete until the following has occurred:
 - (A) The Entertainment Commission has provided written notification to the Planning Department either indicating that the Entertainment Commission did not wish to hold a hearing, or that it held a hearing and the Project sponsor attended the hearing; and
 - (B) The Entertainment Commission has provided written comments and recommendations, if any; and
 - (C) A Project Sponsor with a residential project subject to the new Entertainment Commission outreach process has shown compliance with that process by including a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.
5. The Planning Department and Commission will consider the compatibility of uses when approving Residential Uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new

residential development project takes into account the needs and interests of both the Places of Entertainment and the future residents of the new development.

Considerations may include:

- (A) The proposed project's consistency with applicable design guidelines;
 - (B) Any proceedings held by the Entertainment Commission relating to the proposed Project; and
 - (C) Any comments and recommendations provided to the Planning Department by the Entertainment Commission regarding noise issues related to the project.
6. When a project that is subject to the Entertainment Commission outreach process is approved, an NSR must be recorded with the Assessor-Recorder that states all of the restrictions of Administrative Code Section 116.8 and any other conditions that the Planning Commission or Department places on the property.

Link to signed legislation:

Board File No.	Ord. No.	Noise Regulations Relating to Residential Uses Near Places of Entertainment:
141298	070-15	https://sfgov.legistar.com/View.ashx?M=F&ID=3760025&GUID=5BCAC01C-7344-4F51-B406-E7D8B987FAE8