

1 [Planning Code, Zoning Map - Establishing Outer Mission Street Neighborhood Commercial
2 District]

3 **Ordinance amending the Planning Code, by adding a new section, to establish the**
4 **Outer Mission Street Neighborhood Commercial District along Mission Street between**
5 **Alemanly Boulevard and the San Francisco-San Mateo County line; repealing the**
6 **Excelsior Alcohol Restricted Use District and adding controls on liquor establishments**
7 **to the new Neighborhood Commercial District; amending various sections to make**
8 **conforming and other technical changes; amending the Zoning Map to rezone specified**
9 **properties to the new Neighborhood Commercial District; and making environmental**
10 **findings, Planning Code, Section 302, findings, and findings of consistency with the**
11 **General Plan, and the Priority Policies of Planning Code, Section 101.1.**

12 NOTE: Additions are *single-underline italics Times New Roman*;
13 deletions are ~~*strike-through italics Times New Roman*~~.
14 Board amendment additions are double-underlined;
15 Board amendment deletions are ~~strikethrough normal~~.
Ellipses indicate text that is omitted but unchanged.

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

17 Section 1. Findings.

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

22 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. _____ and the Board incorporates such
25

1 reasons herein by reference. A copy of Planning Commission Resolution No. _____ is
2 on file with the Board of Supervisors in File No. _____.

3 (c) This Board finds that these Planning Code amendments are consistent with the
4 General Plan and with the priority policies of Planning Code Section 101.1 for the reasons set
5 forth in Planning Commission Resolution No. _____, and the Board hereby
6 incorporates such reasons herein by reference.

7
8 Section 2. The San Francisco Planning Code is hereby amended by adding Section
9 745.1, to read as follows:

10 **SEC. 745.1. OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

11 The Outer Mission Street Neighborhood Commercial District is located along Mission Street
12 between Alemany Boulevard and the San Francisco-San Mateo county line. Outer Mission Street is
13 mixed use, combining street-fronting retail businesses on the ground floor and housing on upper floors.
14 The range of comparison goods and services offered is varied and often includes specialty retail stores,
15 restaurants, and neighborhood-serving offices. The area is transit-oriented and the commercial uses
16 serve residents of the area as well as residents and visitors from adjacent and other neighborhoods.

17 The Outer Mission Street Neighborhood Commercial District is intended to provide
18 convenience goods and services to the surrounding neighborhoods as well as limited comparison
19 shopping goods for a wider market. Housing development in new buildings is encouraged above the
20 second story. Existing residential units are protected by limitations on demolitions and upper-story
21 conversions. Parking for residential and commercial uses is not required. Buildings range in height,
22 with height limits generally allowing up to four stories. Lots vary in size, generally small- or medium-
23 sized with some very large parcels.

SEC. 745. OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Outer Mission Street</u> <u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>745.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250 - 252, 260, 261.1, 263.20, 270, 271</u>	<u>Generally 40-X; see Zoning Map. Height Sculpting on Alleys; § 261.1 Additional 5 feet in height allowed for Ground Floor Active Uses in 40-X and 50-X height districts; § 263.20</u>
<u>745.11</u>	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.; C 10,000 sq. ft. & above</u>
<u>745.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at the second story and above: § 134(a)(1)(C)</u>
<u>745.13a</u>	<u>Street Frontage</u>	<u>§ 145.1</u>	<u>Required</u>
<u>745.13b</u>	<u>Street Frontage, Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required</u>
<u>745.14</u>	<u>Awning</u>	<u>§ 136.1(a)</u>	<u>P</u>
<u>745.15</u>	<u>Canopy</u>	<u>§ 136.1(b)</u>	<u>P</u>
<u>745.16</u>	<u>Marquee</u>	<u>§ 136.1(c)</u>	<u>P</u>
<u>745.17</u>	<u>Streetscape and Pedestrian Improvements</u>	<u>§ 138.1</u>	<u>Required</u>

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

745.20	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>3.6 to 1 § 124 (a) (b)</u>
745.21	<u>Use Size [Non-Residential]</u>	<u>§ 790.130, § 121.2</u>	<u>P up to 5,999 sq. ft.; C 6,000 sq. ft. & above</u>
745.22	<u>Off-Street Parking, Commercial/Institutional</u>	<u>§§ 145.1, 150, 151.1, 153 - 157, 159 - 160, 204.5</u>	<u>None required. Limits set forth in Section 151.1.</u>
745.23	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 204.5, 152, 161(b)</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft</u>
745.24	<u>Outdoor Activity Area</u>	<u>§§ 790.70, 145.2(a)</u>	<u>P if located in front; C if located elsewhere</u>
745.25	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	
745.26	<u>Walk-Up Facility</u>	<u>§§ 790.140, 145.2(b)</u>	<u>P if recessed 3 ft.; C if not recessed</u>
745.27	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>No Limit</u>
745.30	<u>General Advertising Sign</u>	<u>§§ 262, 602 - 604, 608, 609</u>	
745.31	<u>Business Sign</u>	<u>§§ 262, 602 - 604, 607.1(f)3, 608, 609</u>	<u>P</u>
745.32	<u>Other Signs</u>	<u>§§ 262, 602 - 604, 607.1(c) (d) (g) 608, 609</u>	<u>P</u>

<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Outer Mission Street</u>		
			<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
745.38	<u>Residential Conversion</u>	<u>§ 790.84, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
745.39	<u>Residential Demolition</u>	<u>§ 790.86, 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Retail Sales and Services</u>					
745.40	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P #</u>	<u>P #</u>	<u>P #</u>
	<u>[Not Listed Below]</u>				
745.41	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>	<u>P</u>	
745.43	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P</u>	<u>P</u>	
745.44	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P</u>	<u>P</u>	
745.45	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>NP #</u>		
745.46	<u>Movie Theater</u>	<u>§ 790.64</u>	<u>P</u>	<u>P</u>	
745.47	<u>Adult Entertainment</u>	<u>§ 790.36</u>	<u>C</u>	<u>C</u>	
745.48	<u>Other Entertainment</u>	<u>§ 790.38</u>	<u>P</u>	<u>P</u>	
745.49	<u>Financial Service</u>	<u>§ 790.110</u>	<u>P</u>	<u>P</u>	
745.50	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>	<u>P</u>	
745.51	<u>Medical Service</u>	<u>§ 790.114</u>	<u>P</u>	<u>P</u>	<u>P</u>
745.52	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>P</u>	<u>P</u>
745.53	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>P</u>	<u>P</u>
745.54	<u>Massage Establishment</u>	<u>§ 790.60, § 1900</u>	<u>C</u>	<u>C</u>	
		<u>Health Code</u>			
745.55	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>C</u>	<u>C</u>	<u>C</u>
745.56	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 158.1,</u>	<u>C</u>		

1		<u>160</u>			
2	<u>745.57</u>	<u>Automobile Gas Station</u>	<u>§ 790.14</u>	<u>C</u>	
3	<u>745.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>	<u>C</u>	
4	<u>745.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>	<u>C</u>
5	<u>745.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>	<u>C</u>	
6	<u>745.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>	<u>C</u>	
7	<u>745.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>C</u>	<u>C</u>
8	<u>745.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>	<u>C</u>	
9	<u>745.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>	<u>C</u>	<u>C</u>
10	<u>745.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>P</u>
11	<u>745.66</u>	<u>Storage</u>	<u>§ 790.117</u>	<u>C</u>	<u>C</u>
12	<u>745.68</u>	<u>Fringe Financial Services</u>	<u>§ 790.111</u>	<u>#</u>	
13	<u>745.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>	
14		<u>Establishments</u>			
15	<u>745.69B</u>	<u>Amusement Game Arcade</u>	<u>§ 790.4</u>	<u>C</u>	
16		<u>(Mechanical Amusement</u>			
17		<u>Devices)</u>			
18	<u>745.69C</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>
19	<u>745.69D</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>
20	<u>Institutions and Non-Retail Sales and Services</u>				
21					
22	<u>745.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>	<u>C</u>	<u>C</u>
23	<u>745.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>	<u>C</u>	<u>C</u>
24	<u>745.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>P</u>
25	<u>745.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>P</u>

1	<u>745.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>745.84</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 790.141</u>	<u>P #</u>		
3	<u>RESIDENTIAL STANDARDS AND USES</u>					
4	<u>745.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P, except</u>	<u>P</u>	<u>P</u>
5				<u>C for</u>		
6				<u>front-</u>		
7				<u>ages</u>		
8				<u>listed in</u>		
9				<u>145.1</u>		
10				<u>(d)</u>		
11	<u>745.91</u>	<u>Residential Density, Dwelling</u>	<u>§§ 207, 207.1,</u>	<u>Generally, 1 unit per 600 sq. ft.</u>		
12		<u>Units</u>	<u>790.88(a)</u>	<u>lot area</u>		
13	<u>745.92</u>	<u>Residential Density, Group</u>	<u>§§ 207.1, 208,</u>	<u>Generally, 1 bedroom per 210</u>		
14		<u>Housing</u>	<u>790.88(b)</u>	<u>sq. ft. lot area</u>		
15	<u>745.93</u>	<u>Usable Open Space [Per</u>	<u>§§ 135, 136</u>	<u>Generally, either 80 sq. ft. if</u>		
16		<u>Residential Unit]</u>		<u>private, or 100 sq. ft. if</u>		
17				<u>common § 135(d)</u>		
18	<u>745.94</u>	<u>Off-Street Parking, Residential</u>	<u>§§ 145.1, 150, 151.1,</u>	<u>P up to one car for each unit;</u>		
19			<u>153- 157, 159- 160,</u>	<u>NP above</u>		
20			<u>166. 167, 204.5</u>			
21	<u>745.95</u>	<u>Community Residential Parking</u>	<u>§ 790.10, 145.1, 166</u>	<u>C</u>		

SPECIFIC PROVISIONS FOR THE OUTER MISSION STREET

NEIGHBORHOOD COMMERCIAL DISTRICT

<u>Article</u> <u>7 Code</u> <u>Section</u>	<u>Other Code Section</u>	<u>Zoning Controls</u>
§ 745.40	§§ 790.55, 790.102(a), 790.102(b)	<u>OFF-SALE LIQUOR ESTABLISHMENTS</u>
§ 745.45		<u>Boundaries: Outer Mission Street Neighborhood</u>
		<u>Commercial District.</u>
		<u>Controls:</u>
		<u>(a) New Liquor Store uses are not permitted in the district.</u>
		<u>(b) Liquor Store uses may relocate within the district with conditional use authorization.</u>
		<u>(c) General Grocery, Specialty Grocery, and Liquor Store uses with off-sale alcohol licenses shall observe the following good neighbor policies:</u>
		<u>(1) Liquor establishments shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain security, without disturbing area residences;</u>
		<u>(2) Advertisements in windows and clear doors are not permitted, and no more than 25 percent of the square footage of the windows and clear doors of liquor establishments shall bear signage of any sort,</u>

and all signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

§ 745.68

§ 249.35

FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

Boundaries: *The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties within the Outer Mission Street Neighborhood Commercial District.*

Controls: *Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in Section 249.35(c)(3).*

§ 745.84

Health Code § 3308

MEDICAL CANNABIS DISPENSARIES

§ 790.141

Boundaries: *Outer Mission Street Neighborhood Commercial District*

Controls:

(a) A Medical Cannabis Dispensary is not permitted within 500 feet of another Medical Cannabis Dispensary use.

(b) A Medical Cannabis Dispensary may only

		operate between the hours of 8 am and 10 pm.
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Section 3. The San Francisco Planning Code is hereby amended by repealing Section 785, as follows:

~~SEC. 785. EXCELSIOR ALCOHOL RESTRICTED USE DISTRICT.~~

~~(a) Findings. There are an unusually large number of establishments dispensing alcoholic beverages, including beer and wine, for off site consumption in the area located generally on Mission Street from Silver Avenue to the Daly City border. The existence of this many off sale alcoholic beverage establishments appears to contribute directly to numerous peace, health, safety, and general welfare problems in the area, including loitering, littering, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots. The existence of these problems creates serious impacts on the health, safety, and welfare of residents of nearby single and multiple family areas, including fear for the safety of children, elderly residents, and visitors to the area. The problems also contribute to the deterioration of the neighborhood and concomitant devaluation of property and destruction of community values and quality of life. The number of establishments selling alcoholic beverages for off site consumption and the associated problems discourage more desirable and needed commercial uses in the area.~~

~~(b) Establishment of the Excelsior Alcohol Restricted Use District. In order to preserve the residential character and the neighborhood serving commercial uses of the area, the Excelsior Alcohol Restricted Use District (Excelsior Alcohol RUD) is hereby established for the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border, as set forth on Sectional Maps SU 11 and SU 12 of the Zoning Maps of the City and County of San Francisco.~~

~~(c) Definitions. The following definitions shall apply to this Section 785:~~

1 (1) ~~"ABC License" shall mean a liquor license issued by the California Department of~~
2 ~~Alcoholic Beverage Control.~~

3 (2) ~~"Liquor establishment" shall mean any enterprise selling alcoholic beverages, as~~
4 ~~defined in California Business and Professions Code Sections 23004 and 23025, pursuant to an ABC~~
5 ~~License.~~

6 (3) ~~"Prohibited liquor establishment" shall mean any establishment selling alcoholic~~
7 ~~beverages lawfully existing prior to the effective date of this ordinance and licensed by the State of~~
8 ~~California for the sale of alcoholic beverages for off-site consumption ("off-sale"), so long as otherwise~~
9 ~~lawful. It shall include an establishment that is defined in Section 790.55 of this Code.~~

10 ~~(d) Controls.~~

11 (1) ~~No new liquor establishments selling alcoholic beverages for off-site consumption~~
12 ~~shall be permitted in the Excelsior Alcohol RUD.~~

13 (2) ~~The prohibition of off-sale liquor establishments shall not be interpreted to prohibit~~
14 ~~the following:~~

15 (A) ~~Temporary uses, as described in Planning Code Section 205.1 or 205.3; or~~

16 (B) ~~Establishment of an off-sale liquor establishment if an application for such~~
17 ~~liquor establishment is on file with the California Department of Alcoholic Beverage Control prior to~~
18 ~~the effective date of this ordinance establishing the Excelsior Alcohol RUD; or~~

19 (3) ~~Continuation of Existing Prohibited Liquor Establishments. In the Excelsior~~
20 ~~Alcohol RUD, any prohibited liquor establishment may continue in accordance with Planning Code~~
21 ~~Section through 186.2. subject to the following provisions:~~

22 (A) ~~A prohibited liquor establishment lawfully existing and selling alcoholic~~
23 ~~beverages as licensed by the State of California prior to the effective date of this legislation, or~~
24 ~~subsequent legislation prohibiting that type of liquor establishment, so long as otherwise lawful may~~
25

1 ~~continue to operate only under the following conditions, as provided by California Business and~~
2 ~~Professions Code Section 23790:~~

3 ~~(i) Except as provided in Subsection (B) below, the premises shall retain~~
4 ~~the same type of retail liquor license within a license classification; and~~

5 ~~(ii) Except as provided in Subsection (B) below, the liquor establishment~~
6 ~~shall be operated continuously, without substantial changes in mode or character of operation.~~

7 ~~(B) A break in continuous service shall not be interpreted to include the~~
8 ~~following, provided that, except as indicated below, the location of the establishment does not change,~~
9 ~~the square footage used for the sale of alcoholic beverages does not increase, and the type of ABC~~
10 ~~License does not change:~~

11 ~~(i) a change in ownership of a prohibited liquor establishment or an~~
12 ~~owner to owner transfer of an ABC License:~~

13 ~~(ii) a temporary closure for restoration or repair of an existing prohibited~~
14 ~~liquor establishment on the same lot after total or partial destruction or damage due to fire, riot,~~
15 ~~insurrection, toxic accident, or act of God;~~

16 ~~(iii) temporary closure of an existing prohibited liquor establishment for~~
17 ~~reasons other than total or partial destruction or damage due to fire, riot, insurrection, toxic accident,~~
18 ~~or act of God for not more than thirty days for repair, renovation, or remodeling; or~~

19 ~~(iv) relocation of an existing prohibited liquor establishment in the~~
20 ~~Excelsior Alcohol RUD to another location within the same Excelsior Alcohol RUD with conditional~~
21 ~~use authorization from the Planning Commission, provided that the original premises shall not be~~
22 ~~occupied by a prohibited liquor establishment unless by another prohibited liquor establishment that is~~
23 ~~also relocating from within the Excelsior Alcohol RUD.~~

24 ~~(e) **Sunset Provision.** This Section 785 shall be repealed five years after its initial effective date~~
25 ~~unless the Board of Supervisors, on or before that date, extends or re-enacts it.~~

Section 4. The San Francisco Planning Code is hereby amended by amending Sections 207.4, 249.35, 263.20, 607.1, and 702.1, to read as follows:

SEC. 207.4. DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The density of dwelling units in Neighborhood Commercial Districts shall be as stated in the following subsections:

(a) The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in Neighborhood Commercial Districts, except that any remaining fraction of 1/2 or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

The dwelling unit density in Neighborhood Commercial Districts shall be at a density ratio not exceeding the number of dwelling units permitted in the nearest Residential District, provided that the maximum density ratio shall in no case be less than the amount set forth in the zoning control following table for the district. The distance to each Residential District shall be measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever permits the greater density.

<i>NC District</i>	<i>Residential Density Limits</i>
<i>NC-1</i>	<i>One dwelling unit for each 800 sq. ft of lot area.</i>
<i>NC-2</i>	
<i>NC-S</i>	
<i>Inner Sunset</i>	
<i>Sacramento Street</i>	
<i>West Portal Avenue</i>	
<i>NC-3</i>	<i>One dwelling unit for each 600 sq. ft. of lot area.</i>

1	<i>Castro Street</i>		
2	<i>Inner Clement Street</i>		
3	<i>Outer Clement Street</i>		
4	<i>Upper Fillmore Street</i>		
5	<i>Haight Street</i>		
6	<i>Union Street</i>		
7	<i>24th Street Mission</i>		
8	<i>24th Street Noe Valley</i>		
9	<i>Broadway</i>	<i>One dwelling unit for each 400 sq. ft. of lot area.</i>	
10	<i>Upper Market Street</i>		
11	<i>North Beach</i>		
12	<i>Polk Street</i>		
13			

14 (b) The dwelling unit density for dwellings specifically designed for and occupied by
 15 senior citizens or *physically handicapped* persons with physical disabilities shall be at a density
 16 ratio not exceeding twice the number of dwelling units permitted by the limits set forth in
 17 Subsection (a).

18 (c) The dwelling unit density in NCT Districts, as listed in Section 702.1(b), shall not be
 19 limited by lot area, but by the applicable requirements and limitations elsewhere in this Code,
 20 including but not limited to height, bulk, setbacks, open space, exposure, and unit mix, as well
 21 as by applicable design guidelines, applicable elements and area plans of the General Plan,
 22 and design review by the Planning Department.

23 **SEC. 249.35. FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT.**

24 (a) **Findings.** There are an unusually large number of establishments providing fringe
 25 financial services, including check cashing and payday lending, in the neighborhoods included

1 in the Mission Alcoholic Beverage Special Use District, the North of Market Residential
2 Special Use District, ~~the Divisadero Street Alcohol Restricted Use District~~, the Third Street Alcohol
3 Restricted Use District, and the Haight Street Alcohol Restricted Use Subdistrict ~~and the~~
4 ~~proposed Excelsior Alcohol Restricted Use District~~. The unchecked proliferation of these
5 businesses has the potential to displace other financial service providers, including charter
6 banks, which offer a much broader range of financial services, as well as other desired
7 commercial development in the City, which provides a broad range of neighborhood
8 commercial goods and services.

9 (b) **Establishment of the Fringe Financial Service Restricted Use District.** In order
10 to preserve the residential character and the neighborhood-serving commercial uses of the
11 following defined areas, a noncontiguous Fringe Financial Service Restricted Use District
12 (Fringe Financial Service RUD) is hereby established for the following properties:

13 (1) Properties in the Mission Alcoholic Beverage Special Use District, as
14 described in Section 781.8 of this Code and as designated on Zoning Maps Numbers SU07
15 and SU08 of the Zoning Map of the City and County of San Francisco;

16 (2) Properties in the North of Market Residential Special Use District, as
17 described in Section 249.5 of this Code and as designated on Zoning Maps Numbers SU01
18 and SU02;

19 (3) Properties in the Divisadero Street and Outer Mission Street Neighborhood
20 ~~Commercial Districts Alcohol Restricted Use District, as described in Section 783 of this Code and as~~
21 ~~designated on Zoning Maps Numbers SU02 and SU07 of the Zoning Map of the City and County of San~~
22 ~~Francisco~~;

23 (4) Properties in the Third Street Alcohol Restricted Use District, as described in
24 Section 782 of this Code and as designated on Zoning Map Number SU10 of the Zoning Map
25 of the City and County of San Francisco; and

1 (5) Properties in the Haight Street Alcohol Restricted Use Subdistrict, as
2 described in Section 781.9 of this Code and as designated on Zoning Maps Numbers SU06
3 and SU07 of the Zoning Map of the City and County of San Francisco; ~~and~~

4 ~~(6) Properties in the proposed Excelsior Alcohol Restricted Use District, which included~~
5 ~~Assessor's Blocks and Lots fronting on both sides of Mission Street from Silver Avenue to the Daly City-~~
6 ~~San Francisco border as set forth in Special Use District Maps SU11 and SU12 of the Zoning Map of~~
7 ~~the City and County of San Francisco. Inclusion of these properties in the Fringe Financial Service~~
8 ~~RUD shall survive any sunset provisions of the proposed Excelsior Alcohol Restricted Use District.~~

9 * * *

10 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR**
11 **ACTIVE GROUND FLOOR USES IN CERTAIN DISTRICTS.**

12 (a) **Intent.** In order to encourage generous ground floor ceiling heights for commercial
13 and other active uses, encourage additional light and air into ground floor spaces, allow for
14 walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and
15 usability of front stoops, and create better building frontage on the public street, up to an
16 additional 5' of height is allowed along major streets in NCT districts, or in specific districts
17 listed below, for buildings that feature either higher ground floor ceilings for non-residential
18 uses or ground floor residential units (that have direct walk-up access from the sidewalk)
19 raised up from sidewalk level.

20 (b) **Applicability.** The special height exception described in this section shall only
21 apply to projects that meet all of the following criteria:

22 (1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as
23 designated on the Zoning Map;

24 (2) project is located:

25 (A) in an NCT district as designated on the Zoning Map;

1 (B) in the ~~Upper Market Street,~~ Inner Clement Street, ~~and~~ Outer Clement
2 Street, Irving Street, Judah Street, Upper Market Street, Outer Mission Street, Noriega Street, and
3 Taraval Street NCDs;

4 (C) ~~on a NC-2 or NC-3 designated parcel fronting Mission Street, from Silver~~
5 ~~Avenue to the Daly City border;~~

6 ~~(D)~~ on a NC-2 designated parcel on Balboa Street between 2nd Avenue
7 and 8th Avenue, and between 32nd Avenue and 39th Avenue;

8 ~~(D)~~ ~~(E)~~ on a NC-1 designated parcel within the boundaries of Sargent
9 Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farallones Street to San
10 Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street
11 and back to Sargent Street; or

12 ~~(E)~~ ~~(F)~~ on a NC-3 designated parcel fronting on Geary Boulevard from
13 Masonic Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard
14 between Palm Avenue and Parker Avenue;

15 ~~(F)~~ ~~(G)~~ on a parcel zoned NC-1 or NC-2 with a commercial use on the
16 ground floor on Noriega Street west of 19th Avenue;

17 ~~(G)~~ ~~(H)~~ on a parcel zoned NC-1 or NC-2 with a commercial use on the
18 ground floor on Irving Street west of 19th Avenue;

19 ~~(H)~~ ~~(I)~~ on a parcel zoned NC-1 or NC-2 with a commercial use on the
20 ground floor on Taraval Street west of 19th Avenue;

21 ~~(I)~~ ~~(J)~~ on a parcel zoned NC-1 or NC-2 with a commercial use on the
22 ground floor on Judah Street west of 19th Avenue;

23 (3) project features ground floor commercial space or other active use as
24 defined by Section 145.1(b)(2) with clear ceiling heights in excess of ten feet from sidewalk
25

1 grade, or in the case of residential uses, such walk-up residential units are raised up from
2 sidewalk level;

3 (4) said ground floor commercial space, active use, or walk-up residential use is
4 primarily oriented along a right-of-way wider than 40 feet;

5 (5) said ground floor commercial space or active use occupies at least 50% of
6 the project's ground floor area; and

7 (6) except for projects located in NCT districts, the project sponsor has
8 conclusively demonstrated that the additional 5' increment allowed through Section 263.20
9 would not add new shadow to any public open spaces.

10 (c) One additional foot of height, up to a total of five feet, shall be permitted above the
11 designated height limit for each additional foot of ground floor clear ceiling height in excess of
12 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised
13 above sidewalk grade.

14 * * * (Diagram not shown but not to be deleted.)

15 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**
16 **DISTRICTS.**

17 * * *

18 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in
19 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set forth
20 below.

21 (1) **NC-1 and NCT-1 Districts.**

22 (A) **Window Signs.** The total area of all window signs, as defined in
23 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
24 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

1 (B) **Wall Signs.** The area of all wall signs shall not exceed one square
2 foot per square foot of street frontage occupied by the business measured along the wall to
3 which the signs are attached, or 50 square feet for each street frontage, whichever is less.
4 The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is
5 attached. Such signs may be nonilluminated or indirectly illuminated; or during business
6 hours, may be directly illuminated.

7 (C) **Projecting Signs.** The number of projecting signs shall not exceed
8 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
9 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which
10 it is attached. No part of the sign shall project more than 75 percent of the horizontal distance
11 from the street property line to the curblin, or six feet six inches, whichever is less. The sign
12 may be nonilluminated or indirectly illuminated, or during business hours, may be directly
13 illuminated.

14 (D) **Signs on Awnings.** Sign copy may be located on permitted awnings
15 in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section
16 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly
17 illuminated.

18 (2) **RC, NC-2, NCT-2, NC-S, Broadway, Castro Street, Inner Clement Street,**
19 **Outer Clement Street, Upper Fillmore Street, Inner Sunset, Irving Street, Haight Street,**
20 **Hayes-Gough, Judah Street, Upper Market Street, Outer Mission Street, Noriega Street, North**
21 **Beach, Ocean Avenue, Pacific Avenue, Polk Street, Sacramento Street, SoMa, Taraval**
22 **Street, Union Street, Valencia Street, 24th Street - Mission, 24th Street - Noe Valley, West**
23 **Portal Avenue, and Glen Park Neighborhood Commercial Districts.**

1 (A) **Window Signs.** The total area of all window signs, as defined in
2 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
3 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

4 (B) **Wall Signs.** The area of all wall signs shall not exceed two square
5 feet per foot of street frontage occupied by the use measured along the wall to which the
6 signs are attached, or 100 square feet for each street frontage, whichever is less. The height
7 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
8 height of the lowest of any residential windowsill on the wall to which the sign is attached,
9 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

10 (C) **Projecting Signs.** The number of projecting signs shall not exceed
11 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
12 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which
13 it is attached, or the height of the lowest of any residential windowsill on the wall to which the
14 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
15 the horizontal distance from the street property line to the curblin, or six feet six inches,
16 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during
17 business hours, may be directly illuminated.

18 (D) **Signs on Awnings and Marquees.** Sign copy may be located on
19 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as
20 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be
21 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
22 or places of entertainment may be directly illuminated during business hours.

23 (E) **Freestanding Signs and Sign Towers.** With the exception of
24 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one
25 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the

1 building or buildings are recessed from the street property line. The existence of a
2 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
3 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
4 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the
5 sign shall project more than 75 percent of the horizontal distance from the street property line
6 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
7 illuminated; or during business hours, may be directly illuminated.

8 (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial**
9 **Districts.**

10 (A) **Window Signs.** The total area of all window signs, as defined in
11 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
12 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

13 (B) **Wall Signs.** The area of all wall signs shall not exceed three square
14 feet per foot of street frontage occupied by the use measured along the wall to which the
15 signs are attached, or 150 square feet for each street frontage, whichever is less. The height
16 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
17 height of the lowest of any residential windowsill on the wall to which the sign is attached,
18 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

19 (C) **Projecting Signs.** The number of projecting signs shall not exceed
20 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32
21 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it
22 is attached, or the height of the lowest of any residential windowsill on the wall to which the
23 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
24 the horizontal distance from the street property line to the curblineline, or six feet six inches,
25 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

1 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located
2 on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as
3 defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be
4 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
5 or places of entertainment may be directly illuminated during business hours.

6 (E) **Freestanding Signs and Sign Towers.** With the exception of
7 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4) of this
8 Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign
9 if the building or buildings are recessed from the street property line. The existence of a
10 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
11 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
12 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the
13 sign shall project more than 75 percent of the horizontal distance from the street property line
14 to the curblin, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
15 illuminated, or during business hours, may be directly illuminated.

16 (4) **Special Standards for Automotive Gas and Service Stations.** For
17 automotive gas and service stations in Neighborhood Commercial Districts, only the following
18 signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards
19 in this Section 607.1.

20 (A) A maximum of two oil company signs, which shall not extend ~~more~~
21 ~~than 10 feet~~ above the roofline if attached to a building, or exceed the maximum height
22 permitted for freestanding signs in the same district if freestanding. The area of any such sign
23 shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or
24 signs that are within 10 feet of the street property line shall not exceed 80 square feet in area.
25 No such sign shall project more than five feet beyond any street property line. The areas of

1 other permanent and temporary signs as covered in Subparagraph (B) below shall not be
2 included in the calculation of the areas specified in this Subparagraph.

3 (B) Other permanent and temporary business signs, not to exceed 30
4 square feet in area for each such sign or a total of 180 square feet for all such signs on the
5 premises. No such sign shall extend above the roofline if attached to a building, or in any case
6 project beyond any street property line or building setback line.

7 * * *

8 **SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

9 (a) The following districts are established for the purpose of implementing the
10 Commerce and Industry element and other elements of the General Plan, according to the
11 objective and policies stated therein. Description and Purpose Statements outline the main
12 functions of each Neighborhood Commercial (NC) District in the Zoning Plan for San
13 Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

14 The description and purpose statements and land use controls applicable to each of
15 the general and individual area districts are set forth in *Sections 710.1 through 784* of this Code
16 for each district class. The boundaries of the various Neighborhood Commercial Districts are
17 shown on the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the
18 provisions of that Section.

Neighborhood Commercial General Area Districts	Section Number
NC-1 - Neighborhood Commercial Cluster District	§ 710
NC-2 - Small-Scale Neighborhood Commercial District	§ 711
NC-3 - Moderate-Scale Neighborhood Commercial District	§ 712
NC-S - Neighborhood Commercial Shopping Center District	§ 713
<i>NCT-1 Neighborhood Commercial Transit Cluster District</i>	<i>§ 733A</i>

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<i>NCT 2 Small Scale Neighborhood Commercial Transit District</i>	§ 734
<i>NCT 3— Moderate Scale Neighborhood Commercial Transit District</i>	§ 731
<u>Named</u> Neighborhood Commercial <i>Individual Area</i> Districts	Section Number
Broadway Neighborhood Commercial District	§ 714
Castro Street Neighborhood Commercial District	§ 715
Inner Clement Street Neighborhood Commercial District	§ 716
Outer Clement Street Neighborhood Commercial District	§ 717
Upper Fillmore Street Neighborhood Commercial District	§ 718
Haight Street Neighborhood Commercial District	§ 719
<i>Hayes Gough Neighborhood Commercial Transit District</i>	§ 720
Upper Market Street Neighborhood Commercial District	§ 721
North Beach Neighborhood Commercial District	§ 722
Polk Street Neighborhood Commercial District	§ 723
Sacramento Street Neighborhood Commercial District	§ 724
Union Street Neighborhood Commercial District	§ 725
<i>Valencia Street Neighborhood Commercial District</i>	§ 726
<i>24th Street Mission Neighborhood Commercial District</i>	§ 727
24th Street-Noe Valley Neighborhood Commercial District	§ 728
West Portal Avenue Neighborhood Commercial District	§ 729
Inner Sunset Neighborhood Commercial District	§ 730
<i>Upper Market Street Neighborhood Commercial Transit District</i>	§ 732
<i>SoMa Neighborhood Commercial Transit District</i>	§ 735
<i>Mission Street Neighborhood Commercial Transit District</i>	§ 736
<i>Ocean Avenue Neighborhood Commercial Transit District</i>	§ 737
<i>Noriega Street Neighborhood Commercial District</i>	§ 739.1
<i>Irving Street Neighborhood Commercial District</i>	§ 735 § 740.1

<i>Taraval Street Neighborhood Commercial District</i>	<i>§ 736 §741.1</i>
<i>Judah Street Neighborhood Commercial District</i>	<i>§ 737 §742.1</i>
<i>Outer Mission Street Street Neighborhood Commercial District</i>	<i>§ 745.1</i>

(b) The following districts are Neighborhood Commercial Transit (NCT) Districts, including both general area districts and individual area districts identified by street or area name. These districts are a subset of the Neighborhood Commercial (NC) Districts.

<i>Neighborhood Commercial Transit Districts</i>	<i>Section Number</i>
<i>Hayes Gough Neighborhood Commercial Transit District</i>	<i>§ 720</i>
<i>Valencia Street Neighborhood Commercial Transit District</i>	<i>§ 726</i>
<i>24th Street – Mission Neighborhood Commercial Transit District</i>	<i>§ 727</i>
<i>NCT-3 – Moderate Scale Neighborhood Commercial Transit District</i>	<i>§ 731</i>
<i>Upper Market Street Neighborhood Commercial Transit District</i>	<i>§ 732</i>
<i>NCT-1 Neighborhood Commercial Transit Cluster District</i>	<i>§ 733A</i>
<i>NCT-2 Small Scale Neighborhood Commercial Transit District</i>	<i>§ 734</i>
<i>SoMa Neighborhood Commercial Transit District</i>	<i>§ 735</i>
<i>Mission Street Neighborhood Commercial Transit District</i>	<i>§ 736</i>
<i>Ocean Avenue Neighborhood Commercial Transit District</i>	<i>§ 737</i>
<i>Glen Park Neighborhood Commercial Transit District</i>	<i>§ 738</i>

<i>Neighborhood Commercial Transit Districts</i>	<i>Section Number</i>
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<i><u>NCT-1 Neighborhood Commercial Transit Cluster District</u></i>	<u>§ 733A</u>
<i><u>NCT-2 Small Scale Neighborhood Commercial Transit District</u></i>	<u>§ 734</u>
<i><u>NCT-3 - Moderate-Scale Neighborhood Commercial Transit District</u></i>	<u>§ 731</u>
<i><u>Named Neighborhood Commercial Transit (NCT) Districts</u></i>	<u>702.1</u>
<i><u>Hayes-Gough Neighborhood Commercial Transit District</u></i>	<u>§ 720</u>
<i><u>Valencia Street Neighborhood Commercial Transit District</u></i>	<u>§ 726</u>
<i><u>24th Street - Mission Neighborhood Commercial Transit District</u></i>	<u>§ 727</u>
<i><u>Upper Market Street Neighborhood Commercial Transit District</u></i>	<u>§ 732</u>
<i><u>SoMa Neighborhood Commercial Transit District</u></i>	<u>§ 735</u>
<i><u>Mission Street Neighborhood Commercial Transit District</u></i>	<u>§ 736</u>
<i><u>Ocean Avenue Neighborhood Commercial Transit District</u></i>	<u>§ 737</u>
<i><u>Glen Park Neighborhood Commercial Transit District</u></i>	<u>§ 738</u>

NCT Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. The NCT Districts are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The district's form can be either linear along transit-priority corridors, concentric around transit stations, or broader areas where transit services criss-cross the neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited. Commercial establishments are discouraged or prohibited from building accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking

1 and loading on critical stretches of commercial and transit streets to preserve and enhance he
2 pedestrian-oriented character and transit function.

3

4 Section 5. Sheets ZN08 of the Zoning Map of the City and County of San Francisco is
5 hereby amended, as follows:

6

Use District to be Use District

7

Description of Property

Superseded

Hereby Approved

8

All parcels zoned NC-3

NC-3

Outer Mission Street

9

on Blocks 3147, 3148, 3206,

Neighborhood Commercial

10

3207, 3208A, 5893, 6013,

District

11

6014, 6083, 6084, 6272,

12

6346, 6347, 6408, 6409,

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6410, 6411, 6412, 6463,

14

6796, 6797, 6798, 6799, 6800,

15

6802, 6803,

16

6954, 6955, 6956, 6957, 6959,

17

6968, 6969, 7029A, 7030,

18

All parcels zoned NC-2 on

NC-2

Outer Mission Street

19

Blocks 5868, 5869, 5892,

Neighborhood Commercial

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5893, 6462, 6461, 6468, 6468A,

District

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6469, 6470, 6471, 6472, 6473,

22

6474, 6804, 7031, 7043, 7044A,

23

7066, 7098, 7099, 7109, 7109A,

24

7142, 7143, 7144, 7145, and

25

7160

1 All parcels zoned NC-1 on NC-1 Outer Mission Street
2 Blocks 6404, 5405, 6413, Neighborhood Commercial
3 6414, 6446, and 6482 District
4 Block 6413, Lot 002; Block RH-1 Outer Mission Street
5 7030, Lots 022A, 035, and 036; Neighborhood Commercial
6 Block 6969, Lot 005G District
7

8 Section 6. Effective Date. This Ordinance shall become effective 30 days from the
9 date of passage.
10

11 Section 7. This section is uncodified. In enacting this Ordinance, the Board intends to
12 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
13 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
14 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
15 Board amendment deletions in accordance with the "Note" that appears under the official title
16 of the legislation.
17

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

20 By: _____
21 JUDITH A. BOYAJIAN
22 Deputy City Attorney
23
24
25