

1 **[Zoning – amending the controls for the North Beach Neighborhood Commercial**
2 **District; creating the new North Beach Special Use District; creating a new zoning**
3 **category of Self-Service Specialty Food; creating a new definition of Bona Fide Eating**
4 **Place, and amending Article 7 Zoning Tables to reflect these changes.]**

5 **Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to**
6 **create the North Beach Special Use District; amending Section 781.6, to include**
7 **Limited Financial Services and Business or Professional Services in the North Beach**
8 **Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section**
9 **722 to reflect the new controls for the North Beach Neighborhood Commercial District,**
10 **including limiting the establishment of new bars and restaurants in the North Beach**
11 **Neighborhood Commercial District in locations occupied by basic neighborhood sales**
12 **or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide**
13 **eating places, and prohibiting the establishment of new automated bank teller**
14 **machines; adding new Section 790.93, to create the new zoning category of Specialty**
15 **Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide**
16 **Eating Place; amending Section 790.102 to allow general grocery stores to occupy less**
17 **than 5,000 gross square feet, to modify the definition of specialty grocery stores, and to**
18 **clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in**
19 **general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91,**
20 **790.102, 790.103, 790.104, 790.105, 790.106, 790.107, 790.108, 790.109, 790.110,**
21 **790.111, 790.112, 790.113, 790.114, 790.115, 790.116, 790.117, 790.118, 790.119,**
22 **790.120, 790.121, 790.122, 790.123, 790.124, 790.125, 790.126, 790.127, 790.128,**
23 **790.129, 790.130, 790.131, 790.132, 790.133, 790.134, 790.135, 790.136, 790.137,**
24 **790.138, 790.139, 790.140, 790.141, 790.142, 790.143, 790.144, 790.145, 790.146,**
25 **790.147, 790.148, 790.149, 790.150, 790.151, 790.152, 790.153, 790.154, 790.155,**
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800.317, 800.318, 800.319, 80

1 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1,
2 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District
3 Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new
4 North Beach Special Use District and to reflect the amendments and new boundaries of
5 the North Beach Financial Service, Limited Financial Service, And Business Or
6 Professional Service Subdistrict; adopting findings, including environmental findings,
7 Section 302 findings, and findings of consistency with the General Plan and the Priority
8 Policies of Planning Code Section 101.1.
9

10
11 Note: Additions are *single-underline italics Times New Roman*;
12 deletions are ~~*strikethrough italics Times New Roman*~~.
13 Board amendment additions are double underlined.
14 Board amendment deletions are ~~strikethrough normal~~.

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

16 Section 1. Findings. The Board of Supervisors of the City and County of San
17 Francisco hereby finds and determines that:

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

22 (b) At a duly noticed public hearing held on _____, the Planning
23 Commission found in Resolution No. _____ that the proposed Planning Code
24 amendments contained in this ordinance are consistent with the City's General Plan and with
25 the Priority Policies of Planning Code Section 101.1. A copy of this Planning Commission

1 Resolution is on file with the Clerk of the Board of Supervisors in File No.
2 _____ and is incorporated herein by reference. The Board finds that the
3 proposed Planning Code amendments contained in this ordinance are consistent with the
4 City's General Plan and with the Section 101.1 Priority Policies for the reasons set forth in the
5 Planning Commission Resolution cited above.

6 (c) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
7 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
8 the Planning Commission Resolution cited above.

9
10 Section 2. The San Francisco Planning Code is hereby amended by adding new
11 Section 780.3, to read as follows:

12 **SEC. 780.3. NORTH BEACH SPECIAL USE DISTRICT.**

13 *In order to preserve and maintain the mix and variety of neighborhood-serving retail sales and*
14 *personal services of a type which supplies commodities or offers personal services to residents of North*
15 *Beach and nearby neighborhoods, there shall be a North Beach Special Use District applicable to the*
16 *North Beach Neighborhood Commercial District, as designated on the Sectional Map SU01 of the*
17 *Zoning Maps. The following provisions shall apply within such district:*

18
19 *(a) Full-service restaurants and small self-service restaurants as defined in Sections 790.92 and*
20 *790.91 of this Code and bars as defined in Section 780.22 of this Code may be permitted as a*
21 *conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning*
22 *Commission finds that the full-service restaurant, small self-service restaurant, or bar does not occupy*
23 *(1) a space that is currently or was last occupied by a Basic Neighborhood Sale or Service, as defined*
24 *in Section 780.3(b), or by a permitted principal use under Section 722 (North Beach Controls); or (2) a*
25

1 vacant space last occupied by a nonconforming use or a permitted conditional use under Section 722
2 (North Beach Controls) that has been discontinued or abandoned pursuant to Section 186.1(d) or
3 Section 178(d) of this Code.

4 (b) For purposes of this Section, a Basic Neighborhood Sale or Service shall mean a use within
5 the North Beach Neighborhood Commercial District that provides goods and/or services which are
6 needed by residents and workers in North Beach and surrounding neighborhoods. Basic Neighborhood
7 Sales or Services shall be considered to include, but not be limited to the following goods and/or
8 services: Other Retail Sales and Services as defined in Section 790.102, Personal Services as defined in
9 Section 790.116, Medical Services as defined in Section 790.114, Liquor Stores as defined in Section
10 790.55, Video Stores as defined in Section 790.135, Trade Shops as defined in Section 790.124; Animal
11 Hospitals as defined in Section 790.6, and Self-Service Specialty Food use as defined in Section 790.93.

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13
14 Section 3. The San Francisco Planning Code is hereby amended by amending Section
15 781.6, to read as follows:

16
17 **SEC. 781.6. NORTH BEACH FINANCIAL SERVICE, LIMITED FINANCIAL**
18 **SERVICE, AND BUSINESS OR PROFESSIONAL SERVICE SUBDISTRICT.**

19 In order to preserve the unique mixture of local, citywide and regional sales and
20 services in the North Beach area, there shall be a North Beach Financial Service, Limited
21 Financial Service, and Business or Professional Service Subdistrict, generally applicable for the
22 portion of the North Beach Neighborhood Commercial District south of ~~Union~~ Greenwich
23 Street, as designated on Sectional Map ~~1SU~~ SU01 of the Zoning Map. The following
24
25

1 provisions shall apply within such subdistrict:

2 (a) A financial service, as defined in Section 790.110 of this Code, shall not be
3 permitted in this subdistrict.

4 (b) A limited financial service, as defined in Section 790.112 of this Code, shall not be
5 permitted in this subdistrict.

6 (c) A business or professional service, as defined in Section 790.108 of this Code, shall not be
7 permitted in this subdistrict on the first story.

8 The provisions of Sections 180 through 186.1 of this Code shall govern financial services,
9 limited financial services, and business or professional services which existed lawfully at the
10 effective date of this Code in this subdistrict.
11

12
13 Section 4. The San Francisco Planning Code is hereby amended by adding new
14 Section 790.93, to read as follows:

15 **SEC. 790.93. SPECIALTY FOOD, SELF-SERVICE.**

16 (a) A retail use whose primary function is to prepare and provide ready-to-eat specialty foods to
17 a high volume of customers who carry out the food for off-premises consumption. Such use exhibits
18 each of the following characteristics: (1) Contains a service counter designed specifically for the sale
19 and distribution of food that has been prepared on site; (2) Food is paid for prior to consumption; (3)
20 Typically open for retail sales on weekdays during daytime hours; and (4) May contain no more than 10
21 seats including sidewalk seating. It often includes wholesaling, manufacturing, or processing of foods,
22 goods, or commodities on the premises as an accessory use as set forth in Section 703.2(b)(1)(C)(v).
23
24
25

1 (b) It includes, but is not limited to, specialty foods provided by bakeries, delicatessens, and
2 confectioneries meeting each of the above characteristics, but it is distinct from small a self-service
3 restaurant use as defined in Section 790.91, a large fast-food restaurant use as defined in Section
4 790.90 or a retail coffee store as defined in 790.102(n). It does not include general or specialty grocery
5 stores with accessory take-out food activity as described in Section 703.2(b)(1)(C) or retail uses which
6 sell prepackaged or bulk ready-to-eat-foods with no on-site food preparation area.

7 (c) It shall not provide on-site beer and/or wine sales for consumption on the premises, but may
8 provide beer and/or wine sales for consumption off the premises with a California Alcoholic Beverage
9 Control Board License type 20 (off-sale beer and wine) within the accessory use limits as set forth in
10 Section 703.2(b)(1)(C)(vi).

11
12
13 Section 5. The San Francisco Planning Code is hereby amended by adding new
14 Section 790.142, to read as follows:

15 **SEC. 790.142. BONA FIDE EATING PLACE.**

16 A place which is regularly and in a bona fide manner used and kept open for the service of
17 meals to guests for compensation and which has suitable kitchen facilities connected therewith,
18 containing conveniences for cooking of an assortment of foods which may be required for ordinary
19 meals.

20 (a) “Meals” shall mean an assortment of foods commonly ordered at various hours of the day
21 for breakfast, lunch or dinner. Incidental food service, comprised only of appetizers to accompany
22

1 drinks is not considered a meal. Incidental, sporadic or infrequent sales of meals or a mere offering of
2 meals without actual sales is not compliance.

3 (b) "Guests" shall mean persons who, during the hours when meals are regularly served
4 therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and
5 obtain at such time, in good faith, a meal therein. Nothing in this section, however, shall be construed
6 to require that any food be sold or purchased with any beverage.

7 (c) Actual and substantial sales of meals are required, during the normal days and meal hours
8 that a bona fide public eating place is open; provided that "normal days of operation" shall mean a
9 minimum of five days a week and "normal hours" of operation for meal service shall mean
10 approximately 7:00 a.m. to 11:00 a.m. if open for breakfast; 11:00 a.m. to 2:00 p.m. if open for lunch;
11 or 5:00 p.m. to 10:00 p.m. if open for dinner.

12 (d) The premises must be equipped and maintained in good faith. This means the premises must
13 possess working refrigeration and cooking devices, pots, pans, utensils, table service, condiment
14 dispensers, menus, signs and enough goods to make substantial meals. The premises must comply with
15 all regulations of the Department of Public Health.

16 (e) A minimum of 51 percent of the restaurant's gross receipts shall be from food sales prepared
17 and sold to guests on the premises. Records of the restaurant's gross receipts shall be provided to the
18 Department upon request.

19 (f) A "bona fide eating place" does not include an adult entertainment business as defined in
20 Planning Code Section 790.36.

1 Section 6. The San Francisco Planning Code is hereby amended by amending Section
2 722.1, to read as follows:

3 **SEC. 722.1. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.**

4 The North Beach Neighborhood Commercial District is a nonlinear district centered on
5 Columbus Avenue, located in the valley between Telegraph Hill and ~~North~~ Russian Hill north of
6 Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty
7 shopping, and dining district, and a tourist attraction, as well as an apartment and residential
8 hotel zone. Traditionally, the district has provided most convenience goods and services for
9 residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating,
10 drinking, and entertainment establishments remain open into the evening to serve a much
11 wider trade area and attract many tourists. The balance between neighborhood-serving
12 convenience stores and Citywide specialty businesses has shifted *gradually*, as *some*
13 convenience stores have been replaced by *bakeries, ice cream parlors, and restaurants and*
14 *bars*. The proliferation of financial services, *limited financial services, and business and*
15 *professional services* has also upset the district's balance of uses. The relocation of business
16 and professional offices from downtown to North Beach threatens the loss of upper-story
17 residential units.

18 The North Beach District controls are designed to ensure the livability and
19 attractiveness of North Beach. Building standards limit new development to a small to
20 moderate scale. Rear yards are protected above the ground story and at residential levels.
21 Most new commercial development is permitted at the first two stories. Small-scale,
22 neighborhood-serving businesses are strongly encouraged *and formula retail uses are*
23 *prohibited. Use sizes are controlled to limit future consolidation of spaces and to encourage*
24 *conversion back to the traditional small-scale commercial spaces. Special controls are necessary*

25

1 because an over-concentration of food and beverage service establishments limits neighborhood-
 2 serving retail sales and personal services in an area that needs them to thrive as a neighborhood. In
 3 order to maintain neighborhood-serving retail sales and personal services and to protect residential
 4 livability, additional eating and drinking establishments are prohibited in spaces that have been
 5 occupied by neighborhood-serving retail sales and personal services. Special controls limit additional
 6 ground-story eating and drinking, entertainment and business and professional office uses and
 7 prohibit new walk-up automated bank teller machines (ATMs). Financial services, limited financial
 8 services, and ground-story business and professional office uses are prohibited from locating in the
 9 portion of the district south of Union Greenwich Street, while new financial services locating in
 10 the portion of the district north of Union Greenwich Street are limited. Restrictions on
 11 automobile and drive-up uses are intended to promote continuous retail frontage and maintain
 12 residential livability.

13 In keeping with the district's existing mixed-use character, housing development in new
 14 buildings is encouraged above the second story. Existing residential units are protected by
 15 prohibitions of upper-story conversions and limitations on demolitions.

16
 17 **SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT**
ZONING CONTROL TABLE

No.	Zoning Category	§ References	North Beach Controls
BUILDING STANDARDS			
722.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	P up to 40 ft.
722.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1

1	722.12	Rear Yard	§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a)(e)
2				
3	722.13	Street Frontage		Required § 145.1
4				
5	722.14	Awning	§ 790.20	P § 136.1(a)
6				
7	722.15	Canopy	§ 790.26	P § 136.1(b)
8				
9	722.16	Marquee	§ 790.58	P
10				§ 136.1(c)
11	722.17	Street Trees		Required § 143
12	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
13	722.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
14				
15	722.21	Use Size [Nonresidential]	§ 790.130	P up to 1,999 sq. ft.; C 2,000 sq. ft. to 3,999 sq. ft. NP 4,000 sq. ft. and above § 121.2
16				
17				
18				
19	722.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
20				
21	722.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
22				
23				
24	722.24	Outdoor Activity Area	§ 790.70	P if located in front;
25				

1				C if located elsewhere § 145.2(a)
2	722.25	Drive-Up Facility	§ 790.30	
3	722.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft. #; C if not recessed § 145.2(b) #
4				
5	722.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.
6				
7	722.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
8				
9	722.31	Business Sign	§§ 262, 602--604, 608,	P § 607.1(f)2
10	722.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
11				
12				
13	No.	Zoning Category	§ References	North Beach Controls by Story
14			§ 790.118	1st 2nd 3rd+
15	722.38	Residential Conversion	§ 790.84	P
16	722.39	Residential Demolition	§ 790.86	P C C
17				
18	Retail Sales and Services			
19	722.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P # P #
20				
21	722.41	Bar	§§ 790.22, <u>780.3.</u>	<u>C #</u>
22				
23	722.42	Full-Service Restaurant	§§ 790.92, <u>780.3.</u>	<u>C #</u>
24				
25				

1	722.43	Large Fast Food Restaurant	§ 790.90			
2	722.44	Small Self-Service Restaurant	§§ 790.91, <u>780.3.</u>	<u>C #</u>		
3						
4	722.45	Liquor Store	§ 790.55	C		
5	722.46	Movie Theater	§ 790.64	P		
6	722.47	Adult Entertainment	§ 790.36			
7	722.48	Other Entertainment	§ 790.38	C		
8						
9	722.49	Financial Service	§ 790.110	C/NP #		
10	722.50	Limited Financial Service	§ 790.112	<u>C/NP #</u>		
11	722.51	Medical Service	790.114	P	P	
12	722.52	Personal Service	§ 790.116	P	P	
13	722.53	Business or Professional Service	§ 790.108	<u>C/NP #P</u>		
14						
15	722.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
16						
17	722.55	Tourist Hotel	§ 790.46	C	C	C
18	722.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
19						
20	722.57	Automotive Gas Station	§ 790.14			
21	722.58	Automotive Service Station	§ 790.17			
22						
23	722.59	Automotive Repair	§ 790.15	C		
24	722.60	Automotive Wash	§ 790.18			
25						

1	722.61	Automobile Sale or Rental	§ 790.12			
2	722.62	Animal Hospital	§ 790.6			C
3	722.63	Ambulance Service	§ 790.2			
4	722.64	Mortuary	§ 790.62			
5	722.65	Trade Shop	§ 790.124		P #	C #
6	722.66	Storage	§ 790.117			
7	722.67	Video Store	§ 790.135		C	C
8	722.68	Fringe Financial Service	§ 790.11			
9	722.69	<i>Self-Service Specialty Food</i>	§ 790.93			C

11 **Institutions and Non-Retail Sales and Services**

12	722.70	Administrative Service	§ 790.106			
13	722.80	Hospital or Medical Center	§ 790.44			
14	722.81	Other Institutions, Large	§ 790.50		P	C C
15	722.82	Other Institutions, Small	§ 790.51		P	P P
16	722.83	Public Use	§ 790.80		C	C C
17	722.84	Medical Cannabis Dispensary	§ 790.141		P	

19 **RESIDENTIAL STANDARDS AND USES**

20						
21	722.90	Residential Use	§ 790.88		P	P P
22	722.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)			Generally, 1 unit per sq. ft. lot area § 207.4
23						
24						
25						

1	722.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom. per sq ft. lot area § 208
2				
3	722.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 60 sq. ft if private, or 80 sq. ft. if common § 135(d)
4				
5	722.94	Off-Street Parking, Residential		
6				
7				
8	722.95	Community Residential Parking	§ 790.10	C C C
9				

**SPECIFIC PROVISIONS FOR THE NORTH BEACH
NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7

Code Section	Other Code Section	Zoning Controls
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§ 722.26 § 790.140 *NORTH BEACH WALK UP FACILITIES*

Boundaries: North Beach NCD

Controls: Walk-up automated bank teller machines (ATMs) are not permitted.

§ 722.40 § 790.102(n) NORTH BEACH SPECIALTY RETAIL USES

Boundaries: North Beach NCD

Controls: Retail coffee stores defined pursuant to Code § 790.102(n) are not permitted without conditional use authorization except to the extent qualifying as specialty grocery permitted pursuant to § 790.102(b)

§§ 722.42, § 780.3
722.44, *NORTH BEACH SPECIAL USE DISTRICT*

Boundaries: North Beach NCD

Controls: Full-service restaurants and small self-service restaurants as defined in Sections 790.92 and 790.91 of this Code and bars as defined in Section 780.22 may be permitted as a conditional use on the first story if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the full-service restaurant, small self-service restaurant, or bar does not occupy:

(1) a space that is currently or was last occupied by a Basic Neighborhood Sale or Service, as defined in Section 780.3(b), or by a permitted principal use under Section 722 (North Beach Controls); or

(2) a vacant space last occupied by a nonconforming use or a permitted conditional use under Section 722 (North Beach Controls) that has been discontinued or abandoned pursuant to Section 186.1(d) or Section 178(d) of this Code.

§§ 722.42, §§ 790.92,
722.44 790.91

NORTH BEACH LIQUOR LICENSES FOR FULL-SERVICE AND SMALL SELF-SERVICE RESTAURANTS

Boundaries: North Beach NCD

Controls: (a) In order to allow full-service restaurants, as defined in § 790.92, and small self-service restaurants, as defined in § 790.91 to seek or maintain an ABC license type 41, so that they may provide on-site beer and/or wine sales for drinking on the premises, the restaurant shall be required to operate as a ‘bona-fide eating place’ as defined in § 790.142.

(b) In order to allow full service restaurants, as defined in § 790.91, to seek and maintain an ABC license type 47, so that liquor may be served for drinking on the premises, a bar use, as defined in § 790.22, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:

(1) The bar function is operated as an integral element of an establishment which is classified both as: (A) a full-service restaurant as defined in § 790.92 and (B) a ‘bona-fide eating place’ as defined in § 790.142; and

1 (2) The establishment maintains only an ABC license type 47, 40,
2 41 or 60.

3 (c) The Commission may consider immediate revocation of a
4 previous conditional use authorization should an establishment no
5 longer comply with any of the criteria set forth above in (a) or (b)
6 of this Section for any length of time.

7 (d) A small self-service restaurant use as defined in § 790.91 may
8 not provide liquor for drinking on the premises (with ABC
9 licenses 42, 47, 48, or 61).

10 ~~§ 722.42~~ ~~§ 790.92~~ ~~NORTH BEACH FULL SERVICE RESTAURANTS~~

11 ~~Boundaries: Applicable to the North Beach NCD~~

12 ~~Controls: A full-service restaurant may be permitted as a~~
13 ~~conditional use on the second story if, in addition to the criteria~~
14 ~~set forth in Section 303, the Commission finds that:—~~

15 ~~(1) The full-service restaurant is situated within the North Beach~~
16 ~~NCD and is within 100 feet of Columbus Avenue; and~~

17 ~~(2) The full-service restaurant will be located in an existing~~
18 ~~building that is currently permitted for occupancy solely by~~
19 ~~commercial uses; and~~

20 ~~(3) The full-service restaurant does not require the demolition,~~
21 ~~conversion or relocation of any lawfully permitted dwelling units~~
22 ~~or guest rooms; and—~~

23 ~~(4) The full-service restaurant is operated in combination with a~~
24 ~~lawfully existing nonconforming second floor movie theater as~~
25 ~~defined in Section 790.64 of this Code or a lawfully existing~~
~~nonconforming second floor "other entertainment" use as defined~~
~~by Section 790.38 of this Code.~~

§§ 722.49, § 781.6
722.50 &
722.53

NORTH BEACH FINANCIAL SERVICE, LIMITED
FINANCIAL SERVICE, AND BUSINESS OR PROFESSIONAL
SERVICE SUBDISTRICT

Boundaries: Applicable only for portions of the North
Beach NCD south of ~~Union~~ Greenwich Street as mapped on
Sectional Map ~~1SU~~ SU01

Controls: Financial services *and limited financial services* are NP at all stories; *business or professional services are NP at the 1st story*

§ 722.65 § 236

GARMENT SHOP SPECIAL USE DISTRICT

Boundaries: Applicable only for the portion of North Beach NCD as mapped on Sectional Map SU01a

Controls: Garment shops are P at the 1st and 2nd stories

Section 7. The San Francisco Planning Code is hereby amended by amending Section 790.34, to read as follows:

SEC. 790.34. EATING AND DRINKING USE.

A retail use which provides food and/or beverages for either on or off-site food consumption including *take-out food, self-service specialty food, bars, full-service restaurants, large fast-food restaurants and small self-service restaurants. Take out food establishments are permitted as principal uses under the category of large fast food restaurants or small self service restaurants, subject to the use size limitation.*

Section 8. The San Francisco Planning Code is hereby amended by amending Section 790.55, to read as follows:

SEC. 790.55. LIQUOR STORE.

A retail use which sells beer, wine, or distilled spirits to a customer in an open or closed container for consumption off the premises and which needs a State of California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general). This classification shall not include retail uses that (1) are *both (a)* classified as a general

1 grocery store use as set forth in Section 790.102(a), a specialty grocery store use as set forth in
2 Section 790.102(b), or a self-service specialty food use as set forth in Section 790.93, and (b) have a
3 gross floor area devoted to alcoholic beverages that is within the accessory use limits set forth in
4 Section 703.2(b)(1)(C)(vi); or (2) have both a) a use size as defined in Section 790.130 of this
5 Code of greater than 10,000 gross square feet and (b) a gross floor area devoted to alcoholic
6 beverages that is within accessory use limits as set forth in Section 204.2 or 703.2(b)(1)(c) of
7 this Code, depending on the zoning district in which the use is located. For purposes of
8 Planning Code Sections 249.5, 781.8, 781.9, 782, 783, and 784, the retail uses explicitly
9 exempted from this definition as set forth above shall not:
10

11 (a) sell any malt beverage with an alcohol content greater than 5.7% by volume; any
12 wine with an alcohol content of greater than 15% by volume, except for "dinner wines" that
13 have been aged two years or more and maintained in a corked bottle; or any distilled spirits in
14 container sizes smaller than 600 ml;

15 (b) devote more than 15% of the gross square footage of the establishment to the
16 display and sale of alcoholic beverages; and

17 (c) sell single servings of beer in container sizes 24 oz. or smaller.
18
19

20 Section 9. The San Francisco Planning Code is hereby amended by amending Section
21 790.90, to read as follows:

22 **SEC. 790.90. RESTAURANT, LARGE FAST-FOOD.**
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1 (a) A retail eating or drinking use which provides ready-to-eat food to a high volume of
2 customers at a high turnover rate for consumption on or off the premises, which may or may
3 not provide seating. Such use exhibits the following characteristics:

- 4 (1) A gross floor area of 1,000 square feet or more;
- 5 (2) A limited menu of ready-to-eat food prepared in advance of customer orders, or food
6 which is able to be quickly prepared for consumption on or off the premises;
- 7 (3) Food served in disposable wrappers or containers;
- 8 (4) Food is ordered and served at customer service counter;
- 9 (5) Food is paid for prior to consumption;
- 10 (6) Public food service area, including queuing areas and service counters without fixed
11 seats, which counters are designed specifically for the sale and distribution of food and
12 beverages;
- 13 (7) Food available upon a short waiting time.

14 ~~*It includes, but is not limited to, delicatessens, ice cream and cookie stores, sandwich shops,*~~
15 ~~*and bakeries.*~~ It does not include retail grocery stores with accessory take-out food activity, as
16 described in Section 703.2(b)(1)(C) of this Code, *self-service specialty food use, as described in*
17 *Section 790.93 of this Code,* or retail uses which sell prepackaged or bulk ready-to-eat foods
18 with no on-site food preparation area, such as confectionery or produce stores. When a fast-
19 food restaurant operates within and in conjunction with another retail use, such as a retail
20 grocery store, the area of the fast-food restaurant use shall be measured to include the area
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1 devoted to food preparation and service, seating and separate public food service counters,
2 excluding fish, poultry and meat counters.

3 (c) It may provide off-site beer, wine, and/or liquor sales for consumption off the
4 premises (with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the
5 premises (with ABC licenses 40, 41 or 60). If it serves liquor for drinking on the premises (with
6 ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall
7 also be considered a bar, as defined in Section 790.22 of this Code.
8

9 (d) It shall be conducted in accordance with the following conditions:

10 (1) All debris boxes shall be kept in enclosed structures.

11 (2) The operator shall be responsible for cleaning the sidewalk within a one-block
12 radius daily to maintain the sidewalk free of paper or other litter during its business hours, in
13 accordance with Article 1, Section 34 of the San Francisco Police Code.

14 (3) Noise and odors shall be contained within the premises so as not to be a nuisance
15 to nearby residents or neighbors.
16

17
18 Section 10. The San Francisco Planning Code is hereby amended by amending
19 Section 790.91, to read as follows:

20 **SEC. 790.91. RESTAURANT, SMALL SELF-SERVICE.**

21 (a) A retail eating or eating and drinking use which provides ready-to-eat food for
22 consumption on and off the premises and which may or may not provide seating. Such use
23 exhibits the following characteristics:
24
25

- 1 (1) Contains fewer than 50 seats and less than 1,000 square feet of gross floor area;
- 2 (2) A limited menu of ready-to-eat food prepared in advance of customer orders, or food
- 3 which is able to be quickly prepared for consumption on or off the premises;
- 4 (3) Food served in disposable wrappers or containers;
- 5 (4) Food is ordered and served at customer service counter;
- 6 (5) Food is paid for prior to consumption;
- 7 (6) Public food service area, including queuing areas and service counters without fixed
- 8 seats, which counters are designed specifically for the sale and distribution of food and
- 9 beverages;
- 10 (7) Food available upon a short waiting time.

12 ~~It includes, but is not limited to, delicatessens, ice cream and cookie stores, sandwich shops,~~
13 ~~and bakeries.~~ It does not include retail grocery stores with accessory take-out food activity, as
14 described in Section 703.2(b)(1)(C) of this Code, self-service specialty food use, as described in
15 Section 790.93 of this Code, or retail uses which sell prepackaged or bulk ready-to-eat foods
16 with no on-site food preparation area, such as confectionery or produce stores. When a fast-
17 food restaurant operates within and in conjunction with another retail use, such as a retail
18 grocery store, the area of the fast-food restaurant use shall be measured to include the area
19 devoted to food preparation and service, seating and separate public food service counters,
20 excluding fish, poultry and meat counters.

- 22 (b) It may provide off-site beer, wine and/or liquor sales for consumption off the premises
- 23 (with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the premises
- 24
- 25

1 (with ABC licenses 40, 41 or 60). If it serves liquor for drinking on the premises (with ABC
2 licenses 47 or 48) or does not admit minors (with ABC licenses 42 or 61), then it shall also be
3 considered a bar, as defined in Section 790.22 of this Code.

4 (c) It shall be conducted in accordance with the following conditions:

5 (1) All debris boxes shall be kept in enclosed structures.

6 (2) The operator shall be responsible for cleaning the sidewalk within a one-block radius
7 daily to maintain the sidewalk free of paper or other litter during its business hours, in
8 accordance with Article 1, Section 34 of the San Francisco Police Code.

9 (3) Noise and odors shall be contained within the premises so as not to be a nuisance to
10 nearby residents or neighbors.
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12
13 Section 11. The San Francisco Planning Code is hereby amended by amending
14 Section 790.102, to read as follows:

15 **SEC. 790.102. SALES AND SERVICES, OTHER RETAIL.**

16 A retail use which provides goods and/or services but is not listed as a separate zoning
17 category in zoning category numbers .41 through .63 listed in Article 7 of this Code, including,
18 but not limited to, sale or provision of the following goods and services:
19

20 (a) General groceries. As used herein, general groceries means:

21 (1) An individual retail food establishment that:

22 (A) ~~Exceeds 5,000 gross square feet;~~

23 ~~(B) Offers a diverse variety of unrelated, non-complementary food and non-food~~
24
25

1 commodities, such as beverages, dairy, dry goods, fresh produce and other perishable items,
2 frozen foods, household products, and paper goods;

3 ~~(C)~~(B) May provide beer, wine, and/or liquor sales for consumption off the premises with a
4 California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-
5 sale general) within the accessory use limits as set forth in Section 703.2(b)(1)(C)(vi);

6 ~~(D)~~(C) Prepares minor amounts or no food on-site for immediate consumption; and

7 ~~(E)~~(D) Markets the majority of its merchandise at retail prices.

8 (b) Specialty groceries. As used herein, specialty groceries means:

9 (1) An individual retail food establishment that:

10 (A) Offers specialty food products, such as baked goods, pasta, cheese, confections, coffee,
11 meat, seafood, produce, artisanal goods and other specialty food products, and may also offer
12 additional food and non-food commodities related or complementary to the specialty food products;

13 (B) May provide beer, wine, and/or liquor sales for consumption off the premises with a
14 California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-
15 sale general) within the accessory use limits as set forth in Section 703.2(b)(1)(C)(vi);

16 (C) Prepares minor amounts or no food on-site for immediate consumption; and

17 (D) Markets the majority of its merchandise at retail prices.

18 (c) Pharmaceutical drugs and personal toiletries;

19 (d) Personal items such as tobacco and magazines;

20 (e) Self-service laundromats and dry cleaning, where no portion of a building occupied
21 by such use shall have any opening other than fixed windows and exits required by law within
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1 50 feet of any R District;

2 (f) Household goods and service (including paint, fixtures and hardware, but excluding
3 other building materials);

4 (g) Variety merchandise, pet supply stores and pet grooming services;

5 (h) Florists and plant stores;

6 (i) Apparel and accessories;

7 (j) Antiques, art galleries, art supplies and framing service;

8 (k) Home furnishings, furniture and appliances;

9 (l) Books, stationery, greeting cards, office supplies, copying service, music and sporting
10 goods;
11

12 (m) Toys, gifts, and photographic goods and services; and

13 (n) Retail coffee stores. As used herein, retail coffee store means:

14 (1) A retail drinking use which provides ready-to-drink coffee and/or other nonalcoholic
15 beverages for consumption on or off the premises, which may or may not provide seating. Its
16 intended design is not to serve prepared ready-to-eat food for consumption on or off the
17 premises, except where a conditional use is granted for an exception in the West Portal NCD
18 pursuant to the "Specific Provisions for the West Portal District." Such use exhibits the
19 following characteristics:
20

21 (A) Contains no more than 15 seats with no more than 400 square feet of floor area
22 devoted to seating,

23 (B) A limited menu of beverages prepared on the premises and able to be quickly
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1 prepared for consumption on or off the premises,

2 (C) Beverages served in disposable or nondisposable containers for consumption on or
3 off the premises,

4 (D) Beverages are ordered and served at a customer service counter,

5 (E) Beverages are paid for prior to consumption,

6 (F) Public service area, including queuing areas and service counters, which counters
7 are designed specifically for the sale and distribution of beverages;
8

9 (G) Beverages are available upon a short waiting time,

10 (H) Equipment to prepare beverages for consumption,

11 (I) Limited amount of nonprepackaged food goods may be served, such as pastries or
12 similar goods,

13 (J) No on-site food preparation, and no equipment to cook or reheat food or prepare
14 meals other than that connected to beverage preparation, except where a conditional use is
15 granted for an exception in the West Portal NCD pursuant to the "Specific Provisions for the
16 West Portal District."
17

18 (K) Coffee beans, tea, syrups, herbs and other beverage-based products and
19 equipment to make and/or reconstitute beverages or consume coffee, tea and/or other
20 beverages may be sold.

21 It may include any use permitted for specialty grocery, as defined in Section
22 790.102(b), but if so, such use shall not include accessory take-out food activity, as described
23 in Section 703.2(b)(1)(C) of this Code, except to the extent permitted by this Subsection
24

1 790.102(n). It is distinct and separate from a small self-service or large fast-food restaurant,
2 as defined in Section 790.90 and 790.91 of this Code, or a full-service restaurant as defined in
3 Section 790.92 of this Code.

4 (2) It shall be conducted in accordance with the following conditions:

5 (A) All debris boxes shall be kept in enclosed structures,

6 (B) The operator shall be responsible for cleaning the sidewalk in front of or abutting
7 the building to maintain the sidewalk free of paper or other litter during its business hours, in
8 accordance with Article 1, Section 34 of the San Francisco Police Code,
9

10 (C) Noise and odors shall be contained within the premises so as not to be a nuisance
11 to nearby residents or neighbors.

12 This Section excludes tourist motels, as distinguished from tourist hotels in Section 790.46 of
13 this Code, amusement game arcades as defined in Section 790.4 of this Code and household
14 goods self-storage facilities, which are included in storage as defined in Section 790.117 of
15 this Code. It also excludes the sale of heating fuel and the sale or rental of commercial
16 equipment (excluding office equipment) and construction materials, other than paint, fixtures
17 and hardware.
18

19
20 Section 12. The San Francisco Planning Code is hereby amended by amending
21 Section 312, to read as follows:

22 **SEC. 312. NEIGHBORHOOD COMMERCIAL PERMIT REVIEW PROCEDURES**
23 **FOR ALL NC DISTRICTS.**
24
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1 (a) Purpose. The purpose of this Section is to establish procedures for reviewing
2 building permit applications for lots in NC Districts in order to determine compatibility of the
3 proposal with the neighborhood and for providing notice to property owners, occupants and
4 residents neighboring the site of the proposed project and to interested neighborhood
5 organizations, so that concerns about a project may be identified and resolved during the
6 review of the permit.

7 (b) Applicability. Except as indicated herein, all building permit applications for
8 demolition, new construction, changes in use to a formula retail use as defined in Section
9 703.3 of this Code or alterations which expand the exterior dimensions of a building shall be
10 subject to the notification and review procedures required by Subsection 312(d). Subsection
11 312(f) regarding demolition permits and approval of replacement structures shall apply to all
12 NC Districts. For the purposes of this Section, addition to a building of the features listed in
13 Section 136(c)(1) through 136(c)(24) and 136(c)(26) shall not be subject to notification under
14 this Section.
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17 (c) Changes of Use. All building permit applications for a change of use to a bar, as
18 defined in Section 790.22, a liquor store, as defined in Section 790.55, a walkup facility, as
19 defined in Section 790.140, other large institutions, as defined in Section 790.50, other small
20 institutions, as defined in Section 790.51, a full-service restaurant, as defined in Section
21 790.92, a large fast food restaurant, as defined in Section 790.90, a small self-service
22 restaurant, as defined in Section 790.91, a self-service specialty food use, as defined in Section
23 790.93, a massage establishment, as defined in Section 790.60, an outdoor activity, as defined
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1 in Section 790.70, an adult or other entertainment use, as defined in Sections 790.36 and
2 790.38, or a fringe financial service use, as defined in Section 790.111, shall be subject to the
3 provisions of Subsection 312(d).

4 (d) Building Permit Application Review for Compliance and Notification. Upon
5 acceptance of any application subject to this Section, the Planning Department shall review
6 the proposed project for compliance with the Planning Code and any applicable design
7 guidelines approved by the Planning Commission. Applications determined not to be in
8 compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, including
9 design guidelines for specific areas adopted by the Planning Commission, or with any
10 applicable conditions of previous approvals regarding the project, shall be held until either the
11 application is determined to be in compliance, is disapproved or a recommendation for
12 cancellation is sent to the Department of Building Inspection.

14 (1) Neighborhood Commercial Design Guidelines. The construction of new buildings and
15 alteration of existing buildings in NC Districts shall be consistent with the design policies and
16 guidelines of the General Plan as adopted and periodically amended for specific areas or
17 conditions by the Planning Commission. The Director of Planning may require modifications to
18 the exterior of a proposed new building or proposed alteration of an existing building in order
19 to bring it into conformity with the General Plan. These modifications may include, but are not
20 limited to, changes in siting, building envelope, scale texture and detailing, openings, and
21 landscaping.
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1 (2) Notification. Upon determination that an application is in compliance with the
2 development standards of the Planning Code, the Planning Department shall cause a notice
3 to be posted on the site pursuant to rules established by the Zoning Administrator and shall
4 cause a written notice describing the proposed project to be sent in the manner described
5 below. This notice shall be in addition to any notices required by the Building Code and shall
6 have a format and content determined by the Zoning Administrator. It shall include a
7 description of the proposal compared to any existing improvements on the site with
8 dimensions of the basic features, elevations and site plan of the proposed project including
9 the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference
10 scale, existing and proposed uses and commercial or institutional business name, if known.

11 The notice shall describe the project review process and shall set forth the mailing date of the
12 notice and the expiration date of the notification period.

13 Written notice shall be mailed to the notification group which shall include the project sponsor,
14 relevant neighborhood organizations as described in Subparagraph 312(d)(2)(C) below, all
15 individuals having made a written request for notification for a specific parcel or parcels
16 pursuant to Planning Code Section 351 and all owners and, to the extent practical, occupants,
17 of properties in the notification area.

18 (A) The notification area shall be all properties within 150 feet of the subject lot in the same
19 Assessor's Block and on the block face across from the subject lot. When the subject lot is a
20 corner lot, the notification area shall further include all property on both block faces across
21 from the subject lot, and the corner property diagonally across the street.
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1 (B) The latest City-wide Assessor's roll for names and addresses of owners shall be used for
2 said notice.

3 (C) The Planning Department shall maintain a list, updated every six months with current
4 contact information, available for public review, and kept at the Planning Department's
5 Planning Information Counter, and reception desk, as well as the Department of Building
6 Inspection's Building Permit Counter, of neighborhood organizations which have indicated an
7 interest in specific properties or areas. The organizations having indicated an interest in the
8 subject lot or its area shall be included in the notification group for the proposed project.

9 Notice to these groups shall be verified by a declaration of mailing signed under penalty of
10 perjury. In the event that such an organization is not included in the notification group for a
11 proposed project as required under this subsection, the proposed project must be re-noticed.

12 (3) Notification Period. All building permit applications shall be held for a period of 30
13 calendar days from the date of the mailed notice to allow review by residents, occupants,
14 owners of neighboring properties and by neighborhood groups.

15 (4) Elimination of Duplicate Notice. The notice provisions of this Section may be waived by
16 the Zoning Administrator for building permit applications for projects that have been, or before
17 approval will be, the subject of a duly noticed public hearing before the Planning Commission
18 or Zoning Administrator, provided that the nature of work for which the building permit
19 application is required is both substantially included in the hearing notice and is the subject of
20 the hearing.
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1 (e) Requests for Planning Commission Review. A request for the Planning
2 Commission to exercise its discretionary review powers over a specific building permit
3 application shall be considered by the Planning Commission if received by the Planning
4 Department no later than 5:00 p.m. of the last day of the notification period as described
5 under Subsection (d)(3) above, subject to guidelines adopted by the Planning Commission.
6 The project sponsor of a building permit application may request discretionary review by the
7 Planning Commission to resolve conflicts between the Director of Planning and the project
8 sponsor concerning requested modifications to comply with relevant design guidelines of the
9 General Plan.
10

11 (1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing requests for
12 discretionary review by the Planning Commission within a reasonable period.

13 (2) Notice. Mailed notice of the discretionary review hearing by the Planning Commission
14 shall be given not less than 10 days prior to the date of the hearing to the notification group as
15 described in Paragraph 312(d)(2) above. Posted notice of the hearing shall be made as
16 provided under Planning Code Section 306.8.
17

18 (f) Demolition of Dwellings, Approval of Replacement Structure Required. Unless the
19 building is determined to pose a serious and imminent hazard as defined in the Building Code
20 an application authorizing demolition in any NC District of an historic or architecturally
21 important building or of a dwelling shall not be approved and issued until the City has granted
22 final approval of a building permit for construction of the replacement building. A building
23 permit is finally approved if the Board of Appeals has taken final action for approval on an
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1 appeal of the issuance or denial of the permit or if the permit has been issued and the time for
2 filing an appeal with the Board has lapsed with no appeal filed.

3 (1) The demolition of any building whether or not historically and architecturally important
4 may be approved administratively where the Director of the Department of Building Inspection
5 or the Chief of the Bureau of Fire Prevention and Public Safety determines, after consultation
6 with the Zoning Administrator, that an imminent safety hazard exists, and the Director of the
7 Department of Building Inspection determines that demolition or extensive alteration of the
8 structure is the only feasible means to secure the public safety.
9

10 (g) Wireless Telecommunications Services Facility as Accessory Use, Notification and
11 Review Required. Building permit applications for new construction of a wireless
12 telecommunications services facility as an accessory use under Article 7 of the Planning Code
13 in all NC Districts shall be subject to the notification and review procedures required by this
14 Section.
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16
17 Section 13. The San Francisco Planning Code is hereby amended by amending
18 Section 303, to read as follows:

19 **SEC. 303. CONDITIONAL USES.**

20 (a) General. The City Planning Commission shall hear and make determinations
21 regarding applications for the authorization of conditional uses in the specific situations in
22 which such authorization is provided for elsewhere in this Code. The procedures for
23 conditional uses shall be as specified in this Section and in Sections 306 through 306.6,
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1 except that Planned Unit Developments shall in addition be subject to Section 304, medical
2 institutions and post-secondary educational institutions shall in addition be subject to the
3 institutional master plan requirements of Section 304.5, and conditional use and Planned Unit
4 Development applications filed pursuant to Article 7, or otherwise required by this Code for
5 uses or features in Neighborhood Commercial Districts, and conditional use applications
6 within South of Market Districts, shall be subject to the provisions set forth in Sections 316
7 through 316.8 of this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this
8 Code, with respect to scheduling and notice of hearings, and in addition to those provided for
9 in Sections 306.4 and 306.5 of this Code, with respect to conduct of hearings and
10 reconsideration.
11

12 (b) Initiation. A conditional use action may be initiated by application of the owner, or
13 authorized agent for the owner, of the property for which the conditional use is sought. For a
14 conditional use application to relocate a general advertising sign under subsection (l) below,
15 application shall be made by a general advertising sign company that has filed a Relocation
16 Agreement application and all required information with the Planning Department pursuant to
17 Section 2.21 of the San Francisco Administrative Code.
18

19 (c) Determination. After its hearing on the application, or upon the recommendation of the
20 Director of Planning if the application is filed pursuant to Sections 316 through 316.8 of this
21 Code and no hearing is required, the City Planning Commission shall approve the application
22 and authorize a conditional use if the facts presented are such to establish:
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1 (1) That the proposed use or feature, at the size and intensity contemplated and at the
2 proposed location, will provide a development that is necessary or desirable for, and
3 compatible with, the neighborhood or the community:

4 (A) In Neighborhood Commercial Districts, if the proposed use is to be located at a location
5 in which the square footage exceeds the limitations found in Planning Code § 121.2(a) or
6 121.2(b), the following shall be considered:

7 (i) The intensity of activity in the district is not such that allowing the larger use will be likely
8 to foreclose the location of other needed neighborhood-servicing uses in the area; and
9

10 (ii) The proposed use will serve the neighborhood, in whole or in significant part, and the
11 nature of the use requires a larger size in order to function; and

12 (iii) The building in which the use is to be located is designed in discrete elements which
13 respect the scale of development in the district; and

14 (2) That such use or feature as proposed will not be detrimental to the health, safety,
15 convenience or general welfare of persons residing or working in the vicinity, or injurious to
16 property, improvements or potential development in the vicinity, with respect to aspects
17 including but not limited to the following:
18

19 (A) The nature of the proposed site, including its size and shape, and the proposed size,
20 shape and arrangement of structures;

21 (B) The accessibility and traffic patterns for persons and vehicles, the type and volume of
22 such traffic, and the adequacy of proposed off-street parking and loading;
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1 (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare,
2 dust and odor;

3 (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open
4 spaces, parking and loading areas, service areas, lighting and signs; and

5 (3) That such use or feature as proposed will comply with the applicable provisions of this
6 Code and will not adversely affect the Master Plan; and

7 (4) With respect to applications filed pursuant to Article 7 of this Code, that such use or
8 feature as proposed will provide development that is in conformity with the stated purpose of
9 the applicable Neighborhood Commercial District, as set forth in zoning control category .1 of
10 Sections 710 through 729 of this Code; and
11

12 (5) (A) With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning
13 categories .46, .47, and .48, in addition to the criteria set forth above in Section 303(c)(1--4),
14 that such use or feature will:

15 (i) Not be located within 1,000 feet of another such use, if the proposed use or feature is
16 included in zoning category .47, as defined by Section 790.36 of this Code; and/or

17 (ii) Not be open between two a.m. and six a.m.; and

18 (iii) Not use electronic amplification between midnight and six a.m.; and

19 (iv) Be adequately soundproofed or insulated for noise and operated so that incidental noise
20 shall not be audible beyond the premises or in other sections of the building and fixed-source
21 equipment noise shall not exceed the decibel levels specified in the San Francisco Noise
22 Control Ordinance.
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1 (B) Notwithstanding the above, the City Planning Commission may authorize a conditional
2 use which does not satisfy the criteria set forth in (5)(A)(ii) and/or (5)(A)(iii) above, if facts
3 presented are such to establish that the use will be operated in such a way as to minimize
4 disruption to residences in and around the district with respect to noise and crowd control.

5 (C) The action of the Planning Commission approving a conditional use does not take effect
6 until the appeal period is over or while the approval is under appeal.

7
8 (6) With respect to applications for live/work units in RH, RM and RTO Districts filed pursuant
9 to Section 209.9(f) or 209.9(h) of this Code, that:

10 (A) Each live/work unit is within a building envelope in existence on the effective date of
11 Ordinance No. 412-88 (effective October 10, 1988) and also within a portion of the building
12 which lawfully contains at the time of application a nonconforming, nonresidential use;

13 (B) There shall be no more than one live/work unit for each 1,000 gross square feet of floor
14 area devoted to live/work units within the subject structure; and

15 (C) The project sponsor will provide any off-street parking, in addition to that otherwise
16 required by this Code, needed to satisfy the reasonably anticipated auto usage by residents of
17 and visitors to the project.

18
19 Such action of the City Planning Commission, in either approving or disapproving the
20 application, shall be final except upon the filing of a valid appeal to the Board of Supervisors
21 as provided in Section 308.1.

22 (d) Conditions. When considering an application for a conditional use as provided herein with
23 respect to applications for development of "dwellings" as defined in Chapter 87 of the San
24

1 Francisco Administrative Code, the Commission shall comply with that Chapter which
2 requires, among other things, that the Commission not base any decision regarding the
3 development of "dwellings" in which "protected class" members are likely to reside on
4 information which may be discriminatory to any member of a "protected class" (as all such
5 terms are defined in Chapter 87 of the San Francisco Administrative Code). In addition, when
6 authorizing a conditional use as provided herein, the City Planning Commission, or the Board
7 of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in
8 this Code, as are in its opinion necessary to secure the objectives of the Code. Once any
9 portion of the conditional use authorization is utilized, all such conditions pertaining to such
10 authorization shall become immediately operative. The violation of any condition so imposed
11 shall constitute a violation of this Code and may constitute grounds for revocation of the
12 conditional use authorization. Such conditions may include time limits for exercise of the
13 conditional use authorization; otherwise, any exercise of such authorization must commence
14 within a reasonable time.

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17 (e) Modification of Conditions. Authorization of a change in any condition previously imposed
18 in the authorization of a conditional use shall be subject to the same procedures as a new
19 conditional use. Such procedures shall also apply to applications for modification or waiver of
20 conditions set forth in prior stipulations and covenants relative thereto continued in effect by
21 the provisions of Section 174 of this Code.

22 (f) Conditional Use Abatement. The Planning Commission may consider the possible
23 revocation of a conditional use or the possible modification of or placement of additional
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1 conditions on a conditional use when the Planning Commission determines, based upon
2 substantial evidence, that the applicant for the conditional use had submitted false or
3 misleading information in the application process that could have reasonably had a substantial
4 effect upon the decision of the Commission or the conditional use is not in compliance with a
5 condition of approval, is in violation of law if the violation is within the subject matter
6 jurisdiction of the Planning Commission or operates in such a manner as to create hazardous,
7 noxious or offensive conditions enumerated in Section 202(c) if the violation is within the
8 subject matter jurisdiction of the Planning Commission and these circumstances have not
9 been abated through administrative action of the Director, the Zoning Administrator or other
10 City authority. Such consideration shall be the subject of a public hearing before the Planning
11 Commission but no fee shall be required of the applicant or the subject conditional use
12 operator.
13

14 (1) The Director of Planning or the Planning Commission may seek a public hearing on
15 conditional use abatement when the Director or Commission has substantial evidence
16 submitted within one year of the effective date of the Conditional Use authorization that the
17 applicant for the conditional use had submitted false or misleading information in the
18 application process that could have reasonably had a substantial effect upon the decision of
19 the Commission or substantial evidence of a violation of conditions of approval, a violation of
20 law, or operation which creates hazardous, noxious or offensive conditions enumerated in
21 Section 202(c).
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1 (2) The notice for the public hearing on a conditional use abatement shall be subject to the
2 notification procedure as described in Sections 306.3 and 306.8 except that notice to the
3 property owner and the operator of the subject establishment or use shall be mailed by
4 regular and certified mail.

5 (3) In considering a conditional use revocation, the Commission shall consider whether and
6 how the false or misleading information submitted by the applicant could have reasonably had
7 a substantial effect upon the decision of the Commission, or the Board of Supervisors on
8 appeal, to authorize the conditional use, substantial evidence of how any required condition
9 has been violated or not implemented or how the conditional use is in violation of the law if the
10 violation is within the subject matter jurisdiction of the Planning Commission or operates in
11 such a manner as to create hazardous, noxious or offensive conditions enumerated in Section
12 202(c) if the violation is within the subject matter jurisdiction of the Planning Commission. As
13 an alternative to revocation, the Commission may consider how the use can be required to
14 meet the law or the conditions of approval, how the hazardous, noxious or offensive
15 conditions can be abated, or how the criteria of Section 303(c) can be met by modifying
16 existing conditions or by adding new conditions which could remedy a violation.

17 (4) Appeals. A decision by the Planning Commission to revoke a conditional use, to modify
18 conditions or to place additional conditions on a conditional use or a decision by the Planning
19 Commission refusing to revoke or amend a conditional use, may be appealed to the Board of
20 Supervisors within 30 days after the date of action by the Planning Commission pursuant to
21 the provisions of Section 308.1(b) The Board of Supervisors may disapprove the action of the
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1 Planning Commission in an abatement matter by the same vote necessary to overturn the
2 Commission's approval or denial of a conditional use. The Planning Commission's action on a
3 conditional use abatement issue shall take effect when the appeal period is over or, upon
4 appeal, when there is final action on the appeal.

5 (5) Reconsideration. The decision by the Planning Commission with regards to a conditional
6 use abatement issue or by the Board of Supervisors on appeal shall be final and not subject
7 to reconsideration within a period of one year from the effective date of final action upon the
8 earlier abatement proceeding, unless the Director of Planning determines that:

9
10 (A) There is substantial new evidence of a new conditional use abatement issue that is
11 significantly different than the issue previously considered by the Planning Commission; or

12 (B) There is substantial new evidence about the same conditional use abatement issue
13 considered in the earlier abatement proceeding, this new evidence was not or could not be
14 reasonably available at the time of the earlier abatement proceeding, and that new evidence
15 indicates that the Commission's decision in the earlier proceeding has not been implemented
16 within a reasonable time or raises significant new issues not previously considered by the
17 Planning Commission. The decision of the Director of Planning regarding the sufficiency and
18 adequacy of evidence to allow the reconsideration of a conditional use abatement issue within
19 a period of one year from the effective date of final action on the earlier abatement proceeding
20 shall be final.

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22 (g) Hotels and Motels.
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1 (1) With respect to applications for development of tourist hotels and motels, the Planning
2 Commission shall consider, in addition to the criteria set forth in Subsections (c) and (d)
3 above:

4 (A) The impact of the employees of the hotel or motel on the demand in the City for housing,
5 public transit, childcare, and other social services. To the extent relevant, the Commission
6 shall also consider the seasonal and part-time nature of employment in the hotel or motel;

7 (B) The measures that will be taken by the project sponsor to employ residents of San
8 Francisco in order to minimize increased demand for regional transportation; and

9 (C) The market demand for a hotel or motel of the type proposed.

10 (2) Notwithstanding the provisions of Sub-sections (f)(1) above, the Planning Commission
11 shall not consider the impact of the employees of a proposed hotel or motel project on the
12 demand in the City for housing where:

13 (A) The proposed project would be located on property under the jurisdiction of the San
14 Francisco Port Commission; and

15 (B) The sponsor of the proposed project has been granted exclusive rights to propose the
16 project by the San Francisco Port Commission prior to June 1, 1991.

17 (3) Notwithstanding the provisions of Subsection (f)(1) above, with respect to the conversion
18 of residential units to tourist hotel or motel use pursuant to an application filed on or before
19 June 1, 1990 under the provisions of Chapter 41 of the San Francisco Administrative Code,
20 the Planning Commission shall not consider the criteria contained in Subsection (f)(1) above;
21 provided, however, that the Planning Commission shall consider the criteria contained in
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1 Subsection (f)(1)(B) at a separate public hearing if the applicant applies for a permit for new
2 construction or alteration where the cost of such construction or alteration exceeds \$100,000.
3 Furthermore, no change in classification from principal permitted use to conditional use in
4 Section 216(b)(i) of this Code shall apply to hotels or motels that have filed applications on or
5 before June 1, 1990 to convert residential units to tourist units pursuant to Chapter 41 of the
6 San Francisco Administrative Code.

7 (h) Internet Services Exchange.

8 (1) With respect to application for development of Internet Services Exchange as defined in
9 Section 209.6(c), the Planning Commission shall, in addition to the criteria set forth in
10 Subsection (c) above, find that:

11 (A) The intensity of the use at this location and in the surrounding neighborhood is not such
12 that allowing the use will likely foreclose the location of other needed neighborhood-serving
13 uses in the area;

14 (B) The building in which the use is located is designed in discrete elements, which respect
15 the scale of development in adjacent blocks, particularly any existing residential uses;

16 (C) Rooftop equipment on the building in which the use is located is screened appropriately.

17 (D) The back-up power system for the proposed use will comply with all applicable federal
18 state, regional and local air pollution controls.

19 (E) Fixed-source equipment noise does not exceed the decibel levels specified in the San
20 Francisco Noise Control Ordinance.

1 (F) The building is designed to minimize energy consumption, such as through the use of
2 energy-efficient technology, including without limitation, heating, ventilating and air
3 conditioning systems, lighting controls, natural ventilation and recapturing waste heat, and as
4 such commercially available technology evolves;

5 (G) The project sponsor has examined the feasibility of supplying and, to the extent feasible,
6 will supply all or a portion of the building's power needs through on-site power generation,
7 such as through the use of fuel cells or co-generation;

8 (H) The project sponsor shall have submitted design capacity and projected power use of the
9 building as part of the conditional use application; and
10

11 (2) As a condition of approval, and so long as the use remains an Internet Services
12 Exchange, the project sponsor shall submit to the Planning Department on an annual basis
13 power use statements for the previous twelve-month period as provided by all suppliers of
14 utilities and shall submit a written annual report to the Department of Environment and the
15 Planning Department which shall state: (a) the annual energy consumption and fuel
16 consumption of all tenants and occupants of the Internet Services Exchange; (b) the number
17 of all diesel generators located at the site and the hours of usage, including usage for testing
18 purposes; (c) evidence that diesel generators at the site are in compliance with all applicable
19 local, regional, state and federal permits, regulations and laws; and (d) such other information
20 as the Planning Commission may require.
21

22 (3) The Planning Department shall have the following responsibilities regarding Internet
23 Services Exchanges:
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1 (A) Upon the effective date of the requirement of a conditional use permit for an Internet
2 Services Exchange, the Planning Department shall notify property owners of all existing
3 Internet Services Exchanges that the use has been reclassified as a conditional use;

4 (B) Upon the effective date of the requirement of a conditional use permit for an Internet
5 Services Exchange, the Planning Department shall submit to the Board of Supervisors and to
6 the Director of the Department of Building Inspection a written report covering all existing
7 Internet Services Exchanges and those Internet Services Exchanges seeking to obtain a
8 conditional use permit, which report shall state the address, assessor's block and lot, zoning
9 classification, square footage of the Internet Services Exchange constructed or to be
10 constructed, a list of permits previously issued by the Planning and/or Building Inspection
11 Departments concerning the Internet Services Exchange, the date of issuance of such
12 permits, and the status of any outstanding requests for permits from the Planning and/or
13 Building Inspection Departments concerning Internet Services Exchange; and

14 (C) Within three years from the effective date of the requirement of a conditional use permit
15 for an Internet Services Exchange, the Planning Department, in consultation with the
16 Department of Environment, shall submit to the Board of Supervisors a written report, which
17 report shall contain the Planning Commission's evaluation of the effectiveness of the
18 conditions imposed on Internet Services Exchanges, and whether it recommends additional or
19 modified conditions to reduce energy and fuel consumption, limit air pollutant emissions, and
20 enhance the compatibility of industrial uses, such as Internet Services Exchanges, located
21 near or in residential or commercial districts.
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1 (i) Formula Retail Uses.

2 (1) With respect to an application for a formula retail use as defined in Section 703.3,
3 whenever a conditional use permit is required per Section 703.3(f), the Planning Commission
4 shall consider, in addition to the criteria set forth in Subsection (c) above:

5 (A) The existing concentrations of formula retail uses within the Neighborhood Commercial
6 District.

7 (B) The availability of other similar retail uses within the Neighborhood Commercial District.

8 (C) The compatibility of the proposed formula retail use with the existing architectural and
9 aesthetic character of the Neighborhood Commercial District.

10 (D) The existing retail vacancy rates within the Neighborhood Commercial District.

11 (E) The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses
12 within the Neighborhood Commercial District.

13 (j) Large-Scale Retail Uses. With respect to applications for the establishment of large-scale
14 retail uses under Section 121.6, in addition to the criteria set forth in Subsections (c) and (d)
15 above, the Commission shall consider the following:

16 (A) The extent to which the retail use's parking is planned in a manner that creates or
17 maintains active street frontage patterns;

18 (B) The extent to which the retail use is a component of a mixed-use project or is designed in
19 a manner that encourages mixed-use building opportunities;

20 (C) This shift in traffic patterns that may result from drawing traffic to the location of the
21 proposed use; and
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1 (D) The impact that the employees at the proposed use will have on the demand in the City
2 for housing, public transit, childcare, and other social services.

3 (k) Movie Theater Uses.

4 (1) With respect to a change in use or demolition of a movie theater use as set forth in
5 Sections 221.1, 703.2(b)(1)(B)(ii), 803.2(b)(2)(B)(iii) or 803.3(b)(1)(B)(ii), in addition to the
6 criteria set forth in Subsections (c) and (d) above, the Commission shall make the following
7 findings:
8

9 (A) Preservation of a movie theater use is no longer economically viable and cannot effect a
10 reasonable economic return to the property owner;

11 (i) For purposes of defining "reasonable economic return," the Planning Commission shall be
12 guided by the criteria for "fair return on investment" as set forth in Section 228.4(a).

13 (B) The change in use or demolition of the movie theater use will not undermine the
14 economic diversity and vitality of the surrounding Neighborhood Commercial District; and

15 (C) The resulting project will preserve the architectural integrity of important historic features
16 of the movie theater use affected.
17

18 (l) Relocation of Existing General Advertising Signs pursuant to a General Advertising Sign
19 Company Relocation Agreement.

20 (1) Before the Planning Commission may consider an application for a conditional use to
21 relocate an existing lawfully permitted general advertising sign as authorized by Section 611
22 of this Code, the applicant sign company must have:
23
24
25

1 (A) Obtained a current Relocation Agreement approved by the Board of Supervisors under
2 Section 2.21 of the San Francisco Administrative Code that covers the sign or signs proposed
3 to be relocated; and

4 (B) Submitted to the Department a current sign inventory, site map, and the other information
5 required under Section 604.2 of this Code; and

6 (C) Obtained the written consent to the relocation of the sign from the owner of the property
7 upon which the existing sign structure is erected.
8

9 (D) Obtained a permit to demolish the sign structure at the existing location.

10 (2) The Department, in its discretion, may review in a single conditional use application all
11 signs proposed for relocation by a general advertising company or may require that one or
12 more of the signs proposed for relocation be considered in a separate application or
13 applications. Prior to the Commission's public hearing on the application, the Department shall
14 have verified the completeness and accuracy of the general advertising sign company's sign
15 inventory.
16

17 (3) Only one sign may be erected in a new location, which shall be the same square footage
18 or less than the existing sign proposed to be relocated. In no event may the square footage of
19 several existing signs be aggregated in order to erect a new sign with greater square footage.

20 (4) In addition to applicable criteria set forth in subsection (c) above, the Planning
21 Commission shall consider the size and visibility of the signs proposed to be located as well
22 as the following factors in determining whether to approve or disapprove a proposed
23 relocation:
24
25

1 (A) The factors set forth in this subsection (A) shall weigh in favor of the Commission's
2 approval of the proposed relocation site:

3 (i) The sign or signs proposed for relocation are lawfully existing but are not in conformity
4 with the sign regulations that existed prior to the adoption of Proposition G on March 5, 2002.

5 (ii) The sign or signs proposed for relocation are on a City list, if any, of priorities for sign
6 removal or signs preferred for relocation.

7 (iii) The sign or signs proposed for relocation are within, adjacent to, or visible from property
8 under the jurisdiction of the San Francisco Port Commission, the San Francisco Unified
9 School District, or the San Francisco Recreation and Park Commission.
10

11 (iv) The sign or signs proposed for relocation are within, adjacent to, or visible from an
12 Historic District or conservation district designated in Article 10 or Article 11 of the Planning
13 Code.

14 (v) The sign or signs proposed for relocation are within, adjacent to, or visible from a zoning
15 district where general advertising signs are prohibited.
16

17 (vi) The sign or signs proposed for relocation are within, adjacent to, or visible from a
18 designated view corridor.

19 (B) The factors set forth in this Subsection (B) shall weigh against the Commission's
20 approval of the proposed relocation:

21 (i) The sign or signs proposed for relocation are or will be obstructed, partially obstructed, or
22 removed from public view by another structure or by landscaping.
23
24
25

1 (ii) The proposed relocation site is adjacent to or visible from property under the jurisdiction
2 of the San Francisco Port Commission, the San Francisco Unified School District, or the San
3 Francisco Recreation and Park Commission.

4 (iii) The proposed relocation site is adjacent to or visible from an Historic District or
5 conservation district designated in Article 10 or Article 11 of the Planning Code.

6 (iv) The proposed relocation site is within, adjacent to, or visible from a zoning district where
7 general advertising signs are prohibited.

8 (v) The proposed relocation site is within, adjacent to, or visible from a designated view
9 corridor.
10

11 (vi) There is significant neighborhood opposition to the proposed relocation site.

12 (5) In no event may the Commission approve a relocation where:

13 (A) The sign or signs proposed for relocation have been erected, placed, replaced,
14 reconstructed, or relocated on the property, or intensified in illumination or other aspect, or
15 expanded in area or in any dimension in violation of Article 6 of this Code or without a permit
16 having been duly issued therefor; or
17

18 (B) The proposed relocation site is not a lawful location under Planning Code Section
19 611(c)(2); or

20 (C) The sign in its new location would exceed the size, height or dimensions, or increase the
21 illumination or other intensity of the sign at its former location; or

22 (D) The sign in its new location would not comply with the Code requirements for that
23 location as set forth in Article 6 of this Code; or
24
25

1 (E) The sign has been removed from its former location; or

2 (F) The owner of the property upon which the existing sign structure is erected has not
3 consented in writing to the relocation of the sign.

4 (6) The Planning Commission may adopt additional criteria for relocation of general
5 advertising signs that do not conflict with this Section 303(l) or Section 611 of this Code.

6 (m) General Grocery Store Uses.

7 (1) With respect to a change in use or demolition of general grocery store use as set
8 forth in Sections 218.2, 703.2(b)(1)(B)(iii), ~~803.2(b)(2)(B)(iv)~~ 803.2(b)(1)(B)(iv) or

9 803.3(b)(1)(B)(iii) which use exceeds 5,000 gross square feet, in addition to the criteria set forth in
10 Subsections (c) and (d) above, the Commission shall make the following findings:

11 (A) Preservation of a general grocery store use is no longer economically viable and cannot
12 effect a reasonable economic return to the property owner. The Commission may disregard
13 the above finding if it finds that the change in use or replacement structure in the case of
14 demolition will contain a general grocery store that is of a sufficient size to serve the shopping
15 needs of nearby residents and offers comparable services to the former general grocery store.

16 (i) For purposes of defining "reasonable economic return," the Planning Commission shall be
17 guided by the criteria for "fair return on investment" as set forth in Section 228.4(a).

18 (B) The change in use or demolition of the general grocery store use will not undermine the
19 economic diversity and vitality of the surrounding neighborhood.

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24 Section 14. The San Francisco Planning Code is hereby amended by amending

1 Section 218.2, to read as follows:

2 **SEC. 218.2. LIMITATION ON CHANGE IN USE OR DEMOLITION OF GENERAL**
3 **GROCERY STORE USE.**

4 Notwithstanding any other provision of this Article, a change in use or demolition of a
5 general grocery store use, a retail sales use as set forth in Section 218(a) or (b) and as further
6 defined in Section 790.102, *which use exceeds 5,000 gross square feet* shall require conditional
7 use authorization pursuant to Section 303. This Section shall not authorize a change in use if
8 the new use or uses are otherwise prohibited.
9

10
11 Section 15. The San Francisco Planning Code is hereby amended by amending
12 Section 703.2, to read as follows:

13 **SEC. 703.2. USES PERMITTED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.**

14 A use is the specific purpose for which a property or building is used, occupied,
15 maintained, or leased. Whether or not a use is permitted in a specific district is set forth or
16 summarized and cross-referenced in Sections 710.1 through 730.95 of this Code for each
17 district class.
18

19 (a) Use Categories. The uses, functions, or activities, which are permitted in each
20 Neighborhood Commercial District class include those listed below by zoning control category
21 and number and cross-referenced to the Code Section containing the definition.
22

23 TABLE INSET:
24
25

1	Section	
2	Zoning Control	Number
3	Categories of Use	
4	No. for Uses	Definition
5	.24	Outdoor Activity Area § 790.70
6	.25	Drive-Up Facility § 790.30
7	.26	Walk-Up Facility § 790.140
8	.27	Hours of Operation § 790.48
9	.27	Hours of Operation § 790.48
10	.38	Residential Conversion § 790.84
11	.39	Residential Demolition § 790.86
12	.40	Other Retail Sales and Services § 790.102
13	.41	Bar § 790.22
14	.42	Full-Service Restaurant § 790.92
15	.43	Large Fast-Food Restaurant § 790.90
16	.43	Large Fast-Food Restaurant § 790.90
17	.44	Small Self-Service Restaurant § 790.91
18	.45	Liquor Store § 790.55
19	.46	Movie Theater § 790.64
20	.47	Adult Entertainment § 790.36
21	.48	Other Entertainment § 790.38
22	.49	Financial Service § 790.110
23	.49	Financial Service § 790.110
24	.50	Limited Financial Service § 790.112
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- 1 .51 Medical Service § 790.114
2 .52 Personal Service § 790.116
3 .53 Business or Professional Service § 790.108
4 .54 Massage Establishment § 790.60
5 .55 Tourist Hotel § 790.46
6 .56 Automobile Parking § 790.8
7 .57 Automotive Gas Station § 790.14
8 .58 Automotive Service Station § 790.17
9 .59 Automotive Repair § 790.15
10 .60 Automotive Wash § 790.18
11 .61 Automobile Sale or Rental § 790.12
12 .62 Animal Hospital § 790.6
13 .63 Ambulance Service § 790.2
14 .64 Mortuary § 790.62
15 .65 Trade Shop § 790.124
16 .66 Storage § 790.117
17 .67 Video Store § 790.135
18 .68 Fringe Financial Service § 790.111
19 .69 Self-Service Specialty Food § 790.93
20 .70 Administrative Service § 790.106
21 .80 Hospital or Medical Center § 790.44
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- 1 .81 Other Institutions, Large § 790.50
- 2 .82 Other Institutions, Small § 790.51
- 3 .83 Public Use § 790.80
- 4 .84 Medical Cannabis Dispensary § 790.141
- 5 .90 Residential Use § 790.88
- 6 .95 Community Residential Parking § 790.10

8
9 (b) Use Limitations. The uses permitted in Neighborhood Commercial Districts are
10 either principal, conditional, accessory, or temporary uses as stated in this Section, and
11 include those uses set forth or summarized and cross-referenced in the zoning control
12 categories as listed in Paragraph (a) in Sections 710.1 through 729.95 of this Code for each
13 district class.

14 (1) Permitted Uses. All permitted uses shall be conducted within an enclosed building
15 in Neighborhood Commercial Districts, unless otherwise specifically allowed in this Code.
16 Exceptions from this requirement are: uses which, when located outside of a building, qualify
17 as an outdoor activity area, as defined in Section 790.70 of this Code; accessory off-street
18 parking and loading and other uses listed below which function primarily as open-air uses, or
19 which may be appropriate if located on an open lot, outside a building, or within a partially
20 enclosed building, subject to other limitations of this Article 7 and other sections of this Code.

21 TABLE INSET:

22 No. Zoning Control Category

- 1 .56 Automobile Parking
- 2 .57 Automotive Gas Station
- 3 .58 Automotive Service Station
- 4 .60 Automotive Wash
- 5 .61 Automobile Sale or Rental
- 6 .81 Other Institutions, Large (selected)
- 7 .83 Public Use (selected)
- 8 .95 Community Residential Parking

10
11 If there are two or more uses in a structure and none is classified below under Section
12 703.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered
13 separately as independent principal, conditional or temporary uses.

14 (A) Principal Uses. Principal uses are permitted as of right in a Neighborhood
15 Commercial District, when so indicated in Sections 710.1 through 729.95 of this Code for
16 each district class.

17
18 (B) Conditional Uses. Conditional uses are permitted in a Neighborhood Commercial
19 District when authorized by the Planning Commission; whether a use is conditional in a given
20 district is indicated in Sections 710.10 through 729.95. Conditional uses are subject to the
21 provisions set forth in Sections 178, 179, 303, and 316 through 316.8 of this Code.

22 (i) An establishment which sells beer or wine with motor vehicle fuel is a conditional
23 use, and shall be governed by Section 229.

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1 (ii) Notwithstanding any other provision of this Article, a change in use or demolition of
2 a movie theater use, as set forth in Section 790.64, shall require conditional use authorization.
3 This Subsection shall not authorize a change in use if the new use or uses are otherwise
4 prohibited.

5 (iii) Notwithstanding any other provision of this Article, a change in use or demolition of
6 a general grocery store use, as defined in Section 790.102(a), which use exceeds 5,000 gross
7 square feet shall require conditional use authorization. This Subsection shall not authorize a
8 change in use if the new use or uses are otherwise prohibited.

9 (C) Accessory Uses. Except as prohibited in Section 728 and subject to the limitations
10 set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and NC
11 Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and Loading
12 as Accessory Uses) of this Code, a related minor use which is either necessary to the
13 operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental
14 and subordinate to any such use, shall be permitted as an accessory use when located on the
15 same lot. Any use which does not qualify as an accessory use shall be classified as a
16 principal or conditional use, unless it qualifies as a temporary use under Sections 205 through
17 205.2 of this Code.

18 No use will be considered accessory to a permitted principal or conditional use which
19 involves or requires any of the following:
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1 (i) The use of more than 1/3 of the total floor area occupied by such use and the
2 principal or conditional use to which it is accessory, except in the case of accessory off-street
3 parking and loading;

4 (ii) Any bar, restaurant, other entertainment, or any retail establishment which serves
5 liquor for consumption on-site;

6 (iii) Any take-out food use, as defined in Section 790.122, except for a take-out food
7 use which occupies 100 square feet or less (including the area devoted to food preparation
8 and service and excluding storage and waiting areas) in a general grocery or specialty
9 grocery store;

10 (iv) Any take-out food use, as defined in Section 790.122, except for a take-out food
11 use operating as a minor and incidental use within a full-service restaurant;

12 (v) The wholesaling, manufacturing or processing of foods, goods, or commodities on
13 the premises of an establishment which does not also use or provide for primarily retail sale of
14 such foods, goods or commodities at the same location where such wholesaling,
15 manufacturing or processing takes place.

16
17
18 (vi) Any retail liquor sales, as defined in Section 790.55, except for beer, wine, and/or liquor
19 sales for the consumption off the premises with a State of California Alcoholic Beverage Control
20 (“ABC”) Board License type (off-sale beer and wine) or type 21 (off-sale general) which occupy less
21 that 15% of the gross square footage of the establishment (including all areas devoted to the display
22 and sale of alcoholic beverages) in a general grocery store, specialty grocery store, or self-service
23 specialty food use.
24
25

1 The foregoing rules shall not prohibit take-out food activity which operates in
2 conjunction with a fast-food restaurant or a self-service restaurant. A fast-food restaurant or a
3 self-service restaurant, by definition, includes take-out food as an accessory and necessary
4 part of its operation.

5 (D) Temporary Uses. Temporary uses are permitted uses, subject to the provisions
6 set forth in Section 205 of this Code.

7 (2) Not Permitted Uses.

8 (A) Uses which are not specifically listed in this Article are not permitted unless they
9 qualify as a nonconforming use pursuant to Sections 180 through 186.1 of this Code or are
10 determined by the Zoning Administrator to be permitted uses in accordance with Section
11 307(a) of this Code.

12 (B) No use, even though listed as a permitted use, shall be permitted in a
13 Neighborhood Commercial District which, by reason of its nature or manner of operation,
14 creates conditions that are hazardous, noxious, or offensive through the emission of odor,
15 fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive
16 noise.
17 noise.

18 (C) The establishment of a use that sells alcoholic beverages, other than beer and
19 wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by Section 229.
20

21 Section 16. The San Francisco Planning Code is hereby amended by amending
22 Section 803.2, to read as follows:
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SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS.

A use is the specific purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Chinatown Mixed Use District is set forth, summarized or cross-referenced in Sections 810.1 through 812.96 of this Code for each district class.

(a) Use Categories. The uses, functions, or activities, which are permitted in each Chinatown Mixed Use District class include those listed in Table 803.2 below by zoning control category and numbered and cross-referenced to the Code Section containing the definition.

TABLE 803.2 USE CATEGORIES PERMITTED IN THE CHINATOWN MIXED USE DISTRICTS

TABLE INSET:

No.	Zoning Control Categories for Uses of Use	Section Number
803.2.24	Outdoor Activity Area	§ 890.71
803.2.25	Drive-Up Facility	§ 890.30
803.2.26	Walk-Up Facility	§ 890.140
803.2.27	Hours of Operation	§ 890.48
803.2.38a	Residential Conversion, Residential Hotels	§ 890.84

- 1 803.2.38b Residential Demolition, Residential Hotels § 890.86
- 2 803.2.39a Residential Conversion, Apartments § 890.84
- 3 803.2.39b Residential Demolition, Apartments § 890.86
- 4 803.2.40a Other Retail Sales and Services § 890.102
- 5 803.2.40b Gift Store--Tourist-Oriented § 890.39
- 6 803.2.40c Jewelry § 890.51
- 7
- 8 803.2.41 Bar § 890.22
- 9 803.2.42 Full-Service Restaurant § 890.92
- 10 803.2.43 Fast-Food Restaurant--Small § 890.90
- 11 803.2.44 Fast-Food Restaurant--Large § 890.91
- 12 803.2.45 Take-Out Food § 890.122
- 13 803.2.46 Movie Theater § 890.64
- 14 803.2.47 Adult Entertainment § 890.36
- 15 803.2.48 Other Entertainment § 890.37
- 16
- 17 803.2.49 Financial Service § 890.110
- 18 803.2.50 Limited Financial Service § 890.112
- 19 803.2.51 Medical Service § 890.114
- 20 803.2.52 Personal Service § 890.116
- 21 803.2.53 Professional Service § 890.108
- 22 803.2.54 Massage Establishment § 890.60
- 23
- 24 803.2.55 Tourist Hotel § 890.46
- 25

- 1 803.2.56 Automobile Parking Lot, Community Commercial § 890.9
- 2 803.2.57 Automobile Parking Garage, Community Commercial § 890.10
- 3 803.2.58 Automobile Parking Lot, Public § 890.11
- 4 803.2.59 Automobile Parking Garage, Public § 890.12
- 5 803.2.60 Automotive Gas Station § 890.14
- 6 803.2.61 Automotive Service Station § 890.18
- 7
- 8 803.2.62 Automotive Repair § 890.15
- 9 803.2.63 Automotive Wash § 890.20
- 10 803.2.64 Automobile Sale or Rental § 890.13
- 11 803.2.65 Animal Hospital § 890.6
- 12 803.2.66 Ambulance Service § 890.2
- 13 803.2.67 Mortuary § 890.62
- 14 803.2.68 Trade Shop § 890.124
- 15
- 16 803.2.70 Administrative Service § 890.106
- 17 803.2.71 Light Manufacturing, Wholesale Sales or Storage § 890.54
- 18 803.2.72 Fringe Financial Service § 890.113
- 19 803.2.73 Business Services § 890.111
- 20 803.2.80 Hospital or Medical Center § 890.44
- 21 803.2.81 Other Institutions § 890.50
- 22 803.2.82 Public Use § 890.80
- 23
- 24 803.2.90 Residential Use § 890.88
- 25

1 803.2.95 Automobile Parking Lot, Community Residential § 890.7

2 803.2.96 Automobile Parking Garage, Community Residential § 890.8

3
4 (b) Use Limitations. Uses in Chinatown Mixed Use Districts are either permitted, conditional,
5 accessory, temporary, or are not permitted.

6 (1) Permitted Uses. All permitted uses in Chinatown Mixed Use Districts shall be conducted
7 within an enclosed building, unless otherwise specifically allowed in this Code. Exceptions
8 from this requirement are: accessory off-street parking and loading; uses which, when located
9 outside of a building, qualify as an outdoor activity area, as defined in Section 890.71 of this
10 Code; and uses which by their nature are to be conducted in an open lot or outside a building,
11 as described in Sections 890 through 890.140 of this Code.

12 If there are two or more uses in a structure and none is classified under Section
13 803.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered
14 separately as an independent permitted, conditional, temporary or not permitted use.

15
16 (A) Principal Uses. Principal uses are permitted as of right in a Chinatown Mixed Use
17 District, when so indicated in Sections 810.1 through 812.96 of this Code for each district
18 class.

19
20 (B) Conditional Uses. Conditional uses are permitted in a ~~China town~~ Chinatown Mixed Use
21 District when authorized by the Planning Commission; whether a use is conditional in a given
22 district is indicated in Sections 810 through 812. Conditional uses are subject to the provisions
23 set forth in Section 303 of this Code.
24
25

1 (i) An establishment which sells beer and wine with motor vehicle fuel is a conditional
2 use, and shall be governed by Section 229.

3 (ii) Any use or feature which lawfully existed and was permitted as a principal or
4 conditional use on the effective date of these controls which is not otherwise nonconforming
5 or noncomplying as defined in Section 180 of this Code, and which use or feature is not
6 permitted under this Article is deemed to be a permitted conditional use subject to the
7 provisions of this Code.
8

9 (iii) Notwithstanding any other provision of this Article, a change in use or demolition of
10 a movie theater use, as set forth in Section 890.64, shall require conditional use authorization.
11 This Subsection shall not authorize a change in use if the new use or uses are otherwise
12 prohibited.

13 (iv) Notwithstanding any other provision of this Article, a change in use or demolition of
14 a general grocery store use, as set forth in Section 890.102(a) and as further defined in
15 Section 790.102(a), which use exceeds 5,000 gross square feet shall require conditional use
16 authorization. This Subsection shall not authorize a change in use if the new use or uses are
17 otherwise prohibited.
18

19 (C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1
20 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and Loading as
21 Accessory Uses) of this Code, a related minor use which is either necessary to the operation
22 or enjoyment of a lawful principal use or conditional use or is appropriate, incidental and
23 subordinate to any such use, shall be permitted in Chinatown Mixed Use Districts as an
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1 accessory use when located on the same lot. Any use not qualified as an accessory use shall
2 only be allowed as a principal or conditional use, unless it qualifies as a temporary use under
3 Sections 205 through 205.2 of this Code.

4 No use in a Chinatown Mixed Use District will be considered accessory to a principal
5 use which involves or requires any of the following:

6 (i) The use of more than 1/3 of the total floor area occupied by both the accessory
7 use and the principal use to which it is accessory, combined, except in the case of accessory
8 off-street parking;
9

10 (ii) Any bar, restaurant, other entertainment, or any retail establishment which serves
11 liquor for consumption on-site;

12 (iii) Any take-out food use, except for a take-out food use which occupies 100 square
13 feet or less (including the area devoted to food preparation and service and excluding storage
14 and waiting areas) in a retail grocery or specialty food store;

15 (iv) The wholesaling, manufacturing or processing of foods, goods, or commodities on
16 the premises of an establishment which does not also provide for primarily retail sale of such
17 foods, goods or commodities at the same location where such wholesaling, manufacturing or
18 processing takes place.
19

20 The above shall not prohibit take-out food activity which operates in conjunction with a
21 fast-food restaurant. A fast-food restaurant, by definition, includes take-out food as an
22 accessory and necessary part of its operation.
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1 (D) Temporary Uses. Uses not otherwise permitted are permitted in Chinatown Mixed
2 Use Districts to the extent authorized by Sections 205, 205.1 or 205.2 of this Code.

3 (2) Not Permitted Uses.

4 (A) Uses which are not listed in this Article are not permitted in a Chinatown Mixed
5 Use District unless determined by the Zoning Administrator to be permitted uses in
6 accordance with Section 307(a) of this Code.

7 (B) No use, even though listed as a permitted use or otherwise allowed, shall be
8 permitted in a Chinatown Mixed Use District which, by reason of its nature or manner of
9 operation, creates conditions that are hazardous, noxious, or offensive through the emission
10 of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or
11 excessive noise.
12

13 (C) The establishment of a use that sells alcoholic beverages, other than beer and
14 wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by Section 229.
15

16
17 Section 17. The San Francisco Planning Code is hereby amended by amending
18 Section 803.3, to read as follows:

19 **SEC. 803.3. USES PERMITTED IN SOUTH OF MARKET USE DISTRICTS.**

20 (a) Use Categories. A use is the specified purpose for which a property or building is
21 used, occupied, maintained, or leased. Whether or not a use is permitted in a specific South
22 of Market District is generally set forth, summarized or cross-referenced in Sections 813.3
23 through 818 of this Code for each district class.
24
25

1 (b) Use Limitations. Uses in South of Market Districts are either permitted, conditional,
2 accessory, temporary or are not permitted.

3 (1) Permitted Uses. If there are two or more uses in a structure, any use not classified below
4 under Section 803.3(b)(1)(C) of this Code as accessory will be considered separately as an
5 independent permitted, conditional, temporary or not permitted use.

6 (A) Principal Uses. Principal uses are permitted as of right in a South of Market district, when
7 so indicated in Sections 813 through 818 of this Code for the district. Additional requirements
8 and conditions may be placed on particular uses as provided pursuant to Section 803.5 and
9 other applicable provisions of this Code.
10

11 (B) Conditional Uses. Conditional uses are permitted in a South of Market district, when
12 authorized by the Planning Commission; whether a use is conditional in a given district is
13 generally indicated in Sections 813 through 818 of this Code. Conditional uses are subject to
14 the applicable provisions set forth in Sections 178, 179, 263.11, 303, 316.8, and 803.5 of this
15 Code.
16

17 (i) An establishment which sells beer or wine with motor vehicle fuel is a conditional use, and
18 shall be governed by Section 229.

19 (ii) Notwithstanding any other provision of this Article, a change in use or demolition of a
20 movie theater use, as set forth in Section 890.64, shall require conditional use authorization.
21 This Section shall not authorize a change in use if the new use or uses are otherwise
22 prohibited.
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1 (iii) Notwithstanding any other provision of this Article, a change in use or demolition of
2 a general grocery store use, as set forth in Section 890.102(a) and as further defined in
3 Section 790.102(a), which use exceeds 5,000 gross square feet shall require conditional use
4 authorization. This Subsection shall not authorize a change in use if the new use or uses are
5 otherwise prohibited.

6 C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1
7 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory Uses for Uses
8 Other Than Dwellings in R Districts), 204.4 (Dwelling Units Accessory to Other Uses), and
9 204.5 (Parking and Loading as Accessory Uses) of this Code, an accessory use is a related
10 minor use which is either necessary to the operation or enjoyment of a lawful principal use or
11 conditional use, or is appropriate, incidental and subordinate to any such use, and shall be
12 permitted as an accessory use in a South of Market District. In order to accommodate a
13 principal use which is carried out by one business in multiple locations within the same
14 general area, such accessory use need not be located in the same structure or lot as its
15 principal use provided that (1) the accessory use is located within 1,000 feet of the principal
16 use; (2) the multiple locations existed on April 6, 1990 (the effective date of this amendment);
17 and (3) the existence of the multiple locations is acknowledged in writing by the Zoning
18 Administrator within 60 days after the effective date of this amendment. Any use which does
19 not qualify as an accessory use shall be classified as a principal use.

20 No use will be considered accessory to a principal use which involves or requires any of the
21 following:
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1 (i) The use of more than one-third of the total occupied floor area which is occupied by both
2 the accessory use and principal use to which it is accessory, combined, except in the case of
3 accessory off-street parking or loading which shall be subject to the provisions of Sections
4 151, 156 and 157 of this Code;

5 (ii) A hotel, motel, inn, hostel, nighttime entertainment, adult entertainment, massage
6 establishment, large fast food restaurant, or movie theater use in a RED, SPD, RSD, SLR, SLI
7 or SSO District;

8 (iii) Any take-out food use, except for a take-out food use which occupies 100 square feet or
9 less (including the area devoted to food preparation and service and excluding storage and
10 waiting areas) in a restaurant, bar, catering establishment, bakery, retail grocery or specialty
11 food store.
12

13 (iv) Any sign not conforming to the limitations of Section 607.2(f)(3).

14 (D) Temporary Uses. Temporary uses not otherwise permitted are permitted in South of
15 Market Districts to the extent authorized by Sections 205 through 205.3 of this Code.
16

17
18 Section 18. The San Francisco Planning Code is hereby amended by amending
19 Section 121.2, to read as follows:

20 **SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD**
21 **COMMERCIAL DISTRICTS.**

22 (a) In order to protect and maintain a scale of development appropriate to each
23 district, nonresidential uses of the same size or larger than the square footage stated in the
24 table below may be permitted only as conditional uses subject to the provisions set forth in
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1 Sections 316 through 316.8 of this Code. The use area shall be measured as the gross floor
2 area for each individual nonresidential use.
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District	Use Size Limits
North Beach	2,000 sq. ft.
Castro Street	
Polk Street	
Inner Clement Street	2,500 sq. ft.
Inner Sunset	
Outer Clement Street	
Upper Fillmore Street	
Haight Street	
Sacramento Street	
Union Street	
24th Street-Mission	
24th Street-Noe Valley	
West Portal Avenue	

NC-1	3,000 sq. ft.
Broadway	
Hayes-Gough	
Upper Market Street	
Polk Street	
Valencia Street	

NC-2	4,000 sq. ft.
NC-3	6,000 sq. ft.
NC-S	

In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

(1) The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

(2) The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

(3) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

(b) In order to protect and maintain a scale of development appropriate to each district, nonresidential uses which exceed the square footage stated in the table below shall not be permitted, except that in the North Beach Neighborhood Commercial District this Subsection 121.2(b) shall not apply to a Movie Theater use as defined in Section 790.64 ~~or Other Entertainment use as defined in Section 790.38 in a building existing prior to November 1, 1999, that was originally constructed as a multi-story, single-tenant commercial occupancy.~~ The use area shall be measured as the gross floor area for each individual nonresidential use.

District	Use Size Limits
West Portal Avenue	4,000 sq. ft.
North Beach	
Castro Street	

1 Section 19. The San Francisco Planning Code is hereby amended by amending
2 Section 186.1, to read as follows:

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

5 The purpose of this Section is to provide for the further continuance in NC Districts of
6 nonconforming uses created by adoption of Ordinance No. 69-87, as herein described, and
7 subsequent ordinances that change the uses allowed in NC Districts, which are beneficial to,
8 or can be accommodated within the neighborhood commercial areas in which they are
9 located.

10 It is hereby found and declared that certain uses which traditionally have been permitted to
11 locate in neighborhood commercial areas can be beneficial to a neighborhood commercial
12 area in small or limited numbers, but which if allowed to proliferate, can disrupt the balanced
13 mix of neighborhood-serving retail stores and services. It is further found and declared that in
14 order to prevent undesirable over concentrations of such uses, the establishment of additional
15 such uses shall be prohibited pursuant to controls governing uses in NC Districts. At the same
16 time, however, it is desirable to provide for the further continuance, expansion, enlargement,
17 alteration, changes, discontinuance, and relocation of such existing uses, which are
18 nonconforming as a result of zoning controls governing uses in NC Districts.
19

20 The following provisions shall govern with respect to nonconforming uses and features
21 located in Neighborhood Commercial Districts to the extent that there is a conflict between the
22 provisions of this Section and other Sections contained in this Article 1.7.

23 (a) Expansion. A nonconforming use may expand: (1) in floor area as provided in Subsection
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1 (b) below, but may not expand beyond the lot which it occupies, nor may the boundaries of
2 such lot be expanded for purposes of expanding the use; nor may the use expand upward
3 above the story or stories which it lawfully occupies, except as provided in Section 186.2
4 below.

5 (b) Enlargements or Alteration.

6 (1) A nonconforming use may not be significantly altered; enlarged or intensified, except
7 upon approval of a conditional use application pursuant to the provisions of Article 3 of this
8 Code, provided that the use not have or result in a greater height, bulk or floor area ratio, less
9 required rear yard or open space, or less required off-street parking space or loading space
10 than permissible under the limitations set forth in this Code for the district or districts in which
11 such use is located.

12 (2) A nonconforming use may expand to include public sidewalk space provided that such
13 space is only occupied with tables and chairs as permitted by this Municipal Code.

14 (3) No existing use or structure which fails to meet the requirements of this Code in any
15 manner as described above in this Subsection (b) shall be constructed, reconstructed,
16 enlarged, altered or relocated so as to increase the discrepancy, or to create a new
17 discrepancy, at any level of the structure, between existing conditions on the lot and the
18 required standards for new construction set forth in this Code.
19
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21 (c) Changes in Use. A nonconforming use may be changed to another use or feature
22 as described below.
23

24 (1) A nonconforming use may be changed to a use listed in Article 7 of this Code as a
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1 principal use for the district in which the property is located, and the new use may thereafter
2 be continued as a permitted principal use.

3 (2) A nonconforming use may be changed to a use listed in Article 7 of this Code as a
4 conditional use for the district in which the use is located, ~~subject to~~ only upon approval of a
5 conditional use application pursuant to the provisions of Article 3 of this Code, and the new use
6 may thereafter be continued as a permitted conditional use, subject to the provisions of
7 Section 178 of this Code.

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

11 (A) Any use described in zoning categories .41, .42, .43 or .44, as defined in Sections
12 790.22, 790.92, 790.90 and 790.91, respectively, may change to another use described in
13 zoning categories .41, .42, or .44, even though such other use is not permitted in that
14 Neighborhood Commercial District, unless such other use is located in an Alcohol Restricted
15 Use Subdistrict and is prohibited by the provisions governing that Alcohol Restricted Use
16 Subdistrict.

17 (B) Any use described in zoning categories .51, .52 or .53, as defined in Sections
18 790.114, 790.116 and 790.108 respectively, may change to another use described in zoning
19 categories .51, .52 or .53, even though such other use is not permitted in that Neighborhood
20 Commercial District.

21 (C) Any use described in zoning categories .57, .58 or .59, as defined in Sections
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1 790.14, 790.17 and 790.15 respectively, may be demolished and reconstructed as the same
2 use or may change to another use described in zoning categories .57, .58 or .59, even though
3 such other use is not permitted in that Neighborhood Commercial District.

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

5 The changes in use described in this Paragraph 3 shall include remodeling activities
6 involving the demolition and replacement of structures which result in a change of use.

7
8 (4) In the North Beach Neighborhood Commercial District, any use that exceeds the
9 use size provisions of Section 121.2(a) or 121.2(b) may be changed to a new use only upon
10 the approval of a new conditional use application. The Commission's approval of such
11 conditional use application shall explicitly address the use size findings of Section 303(c). In
12 the North Beach Neighborhood Commercial District, a nonconforming use cannot be changed to any
13 use which is not a permitted principal use under Section 722 (North Beach Controls).

14 (5) In the Castro Street Neighborhood Commercial District, any use in this district that
15 exceeds the maximum use size limit of Section 121.2(b), may be not changed to a new use.
16 The only method for changing a nonconforming use identified in this Subsection is to reduce
17 the nonconforming use:
18

19 (A) to a conforming use size or

20 (B) to a size specified in Subsection 121.2(a) pursuant to conditional use authorization.

21 Notwithstanding the above, any use in this District that exceeds the maximum use size
22 limit of Section 121.2(b) and is categorized in the Other Retail Sales and Services zoning
23 classification, as defined in Section 790.102, may change to another use category
24
25

1 enumerated in Section 790.102 as long as the use size is not increased and the Commission
2 approves a conditional use application for such change. The Commission's approval of such
3 conditional use application shall explicitly address the use size findings of Section 303(c).

4 (d) Discontinuance. A nonconforming use which is discontinued for a period of three
5 years, or otherwise abandoned or changed to another use which is listed in Article 7 of this
6 Code as a principal or conditional use for the district in which the use is located shall not be
7 reestablished. For purposes of this Subsection, the period of nonuse for a nonconforming use
8 to be deemed discontinued in the North Beach and Castro Street Neighborhood Commercial
9 Districts shall be eighteen (18) months.
10

11 (e) Relocation. A nonconforming use in a Neighborhood Commercial District may be
12 reestablished at another location within that Neighborhood Commercial District only upon
13 approval of a new conditional use application pursuant to the provisions of Article 3 of this
14 Code, provided that the following conditions are met:
15

16 (1) The original premises shall not be occupied by an establishment of the same type
17 of use as the relocating use unless by another establishment that is relocating from within the
18 district; and

19 (2) No final permits to operate the relocated use at the new premises are granted prior
20 to the issuance of a certificate of final completion of any work to the original premises which is
21 required as conditions attached to the approval of the conditional use application; and

22 (3) Deed restrictions are recorded for the original premises in the Official Records of
23 the City and County of San Francisco, which restrictions prohibit for the duration of the Code
24
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1 sections prohibiting the use for the district in which the use is located, the establishment and
2 operation of a new use of the same type of use as the relocated use, unless such new use is
3 relocating from within the district.

4
5 Section 20. The San Francisco Planning Code is hereby amended by amending
6 Section 710.1, to read as follows:

7 **SEC. 710.1. NC-1 -- NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

8 NC-1 Districts are intended to serve as local neighborhood shopping districts, providing
9 convenience retail goods and services for the immediately surrounding neighborhoods
10 primarily during daytime hours.

11 These NC-1 Districts are characterized by their location in residential neighborhoods,
12 often in outlying areas of the City. The commercial intensity of these districts varies. Many of
13 these districts have the lowest intensity of commercial development in the City, generally
14 consisting of small clusters with three or more commercial establishments, commonly grouped
15 around a corner; and in some cases short linear commercial strips with low-scale,
16 interspersed mixed-use (residential-commercial) development.

17 Building controls for the NC-1 District promote low-intensity development which is
18 compatible with the existing scale and character of these neighborhood areas. Commercial
19 development is limited to one story. Rear yard requirements at all levels preserve existing
20 backyard space.

21 NC-1 commercial use provisions encourage the full range of neighborhood-serving
22 convenience retail sales and services at the first story provided that the use size generally is
23 limited to 3,000 square feet. However, commercial uses and features which could impact
24 residential livability are prohibited, such as auto uses, financial services, general advertising
25

1 signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are
 2 restricted, depending upon the intensity of such uses in nearby commercial districts.

3 Housing development in new buildings is encouraged above the ground story in most
 4 districts. Existing residential units are protected by prohibitions of conversions above the
 5 ground story and limitations on demolitions.

6 SEC. 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1
 7 ZONING CONTROL TABLE

			NC-1
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
710.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	Varies See Zoning Map
710.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
710.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
710.13	Street Frontage		Required § 145.1
710.14	Awning	§ 790.20	P § 136.1(a)
710.15	Canopy	§ 790.26	

1	710.16	Marquee	§ 790.58	
2	710.17	Street Trees		Required § 143
3	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
4				
5	710.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
6				
7	710.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
8				
9				
10	710.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
11				
12				
13				
14	710.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
15				
16				
17				
18	710.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
19				
20				
21	710.25	Drive-Up Facility	§ 790.30	
22				
23	710.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
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710.27	Hours of Operation	§ 790.48	P 6 a.m.--11 p.m.; C 11 p.m.--2 a.m.
710.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
710.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)1
710.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

No.	Zoning Category	§ References	NC-1		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
710.38	Residential Conversion	§ 790.84	P		
710.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
710.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P #		
710.41	Bar	§ 790.22	P #		
710.42	Full-Service Restaurant	§ 790.92	P #		
710.43	Large Fast Food Restaurant	§ 790.90			

1	710.44	Small Self-Service Restaurant	§ 790.91	C #		
2	710.45	Liquor Store	§ 790.55	P		
3	710.46	Movie Theater	§ 790.64			
4	710.47	Adult Entertainment	§ 790.36			
5	710.48	Other Entertainment	§ 790.38	C		
6	710.49	Financial Service	§ 790.110			
7	710.50	Limited Financial Service	§ 790.112	P		
8	710.51	Medical Service	§ 790.114	P		
9	710.52	Personal Service	§ 790.116	P		

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No.	Zoning Category	§ References	NC-1			
			Controls by Story			
		§ 790.118	1st	2nd	3rd+	
17	710.53	Business or Professional Service	§ 790.108	P		
18	710.54	Massage Establishment	§ 790.60, § 1900 Health Code			
19	710.55	Tourist Hotel	§ 790.46			
20	710.56	Automobile Parking	§§ 790.8, 156, 160	C		

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1	710.57	Automotive Gas Station	§ 790.14			
2						
3	710.58	Automotive Service Station	§ 790.17			
4						
5	710.59	Automotive Repair	§ 790.15			
6						
7	710.60	Automotive Wash	§ 790.18			
8						
9	710.61	Automobile Sale or Rental	§ 790.12			
10						
11	710.62	Animal Hospital	§ 790.6			
12						
13	710.63	Ambulance Service	§ 790.2			
14						
15	710.64	Mortuary	§ 790.62			
16						
17	710.65	Trade Shop	§ 790.124	P		
18						
19	710.66	Storage	§ 790.117			
20						
21	710.67	Video Store	§ 790.135	C		
22						
23	710.68	Fringe Financial Service	§ 790.111			
24	<u>710.69</u>	<u>Self-Service Specialty</u>	<u>§ 790.93</u>	<u>C#</u>		
25		<u>Food</u>				
Institutions and Non-Retail Sales and Services						

1	710.70	Administrative Service	§ 790.106			
2						
3	710.80	Hospital or Medical Center	§ 790.44			
4						
5	710.81	Other Institutions, Large	§ 790.50	P	C	
6						
7	710.82	Other Institutions, Small	§ 790.51	P	P	P
8						
9	710.83	Public Use	§ 790.80	C	C	C
10						
11	710.84	Medical Cannabis Dispensary	§ 790.141	P #		
12						
13	RESIDENTIAL STANDARDS AND USES					
14	710.90	Residential Use	§ 790.88	P	P	P
15						
16	710.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
17						
18	710.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
19						
20	710.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
21						
22	710.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a)		
23						
24						
25						

			(g)		
710.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR NC-1 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 710.40 § 710.41 § 710.42		Boundaries: All NC-1 Districts Controls: P if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.44, <u>§ 710.69</u>		Boundaries: All NC-1 Districts Controls: C if located more than 1/4 mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control
§ 710.42 § 710.43 § 710.44 <u>§ 710.69</u>	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the two Taraval Street NC-1 Districts between 40th and 41st Avenues and 45th and 47th Avenues as mapped on Sectional Map 5 SU Controls: Full-service restaurants, and small self-service restaurants <u>and self-service specialty food</u>

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		are C; large fast-food restaurants are NP
§ 710.84 § 790.141		Only those medical cannabis dispensaries that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a medical cannabis dispensary permit in an NC-1 District.

Section 21. The San Francisco Planning Code is hereby amended by amending Section 711.1, to read as follows:

SEC. 711.1. NC-2 -- SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

The NC-2 District is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.

These districts range in size from two or three blocks to many blocks, although the commercial development in longer districts may be interspersed with housing or other land

1 uses. Buildings typically range in height from two to four stories with occasional one-story
2 commercial buildings.

3 The small-scale district controls provide for mixed-use buildings which approximate or
4 slightly exceed the standard development pattern. Rear yard requirements above the ground
5 story and at residential levels preserve open space corridors of interior blocks.

6 Most new commercial development is permitted at the ground and second stories.
7 Neighborhood-serving businesses are strongly encouraged. Eating and drinking and
8 entertainment uses, however, are confined to the ground story. The second story may be
9 used by some retail stores, personal services, and medical, business and professional offices.
10 Parking and hotels are monitored at all stories. Limits on late-night activity, drive-up facilities,
11 and other automobile uses protect the livability within and around the district, and promote
12 continuous retail frontage.

13 Housing development in new buildings is encouraged above the ground story. Existing
14 residential units are protected by limitations on demolition and upper-story conversions.

15
16
17 SEC. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL
18 DISTRICT NC-2 ZONING CONTROL TABLE

			NC-2
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
711.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260,	Generally, 40-X See Zoning Map

1			270, 271	
2	711.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
3				
4				
5	711.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
6				
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9	711.13	Street Frontage		Required § 145.1
10				
11	711.14	Awning	§ 790.20	P § 136.1(a)
12	711.15	Canopy	§ 790.26	P § 136.1(b)
13	711.16	Marquee	§ 790.58	P § 136.1(c)
14	711.17	Street Trees		Required § 143
15	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
16				
17	711.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
18				
19	711.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 3,999 sq. ft.; C 4,000 sq. ft. & above § 121.2
20				
21				
22	711.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§
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			151, 161(g)
711.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
711.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
711.25	Drive-Up Facility	§ 790.30	
711.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
711.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.; C 2 a.m.--6 a.m.
711.30	General Advertising Sign	§§ 262, 602--604, 608, 609	P § 607.1(e)1
711.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f) 2
711.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

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No.	Zoning Category	§ References	NC-2		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
711.38	Residential Conversion	§ 790.84	P	C	
711.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
711.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
711.41	Bar	§ 790.22	P		
711.42	Full-Service Restaurant	§ 790.92	P #		
711.43	Large Fast Food Restaurant	§ 790.90	C #		
711.44	Small Self-Service Restaurant	§ 790.91	P #		
711.45	Liquor Store	§ 790.55	P		
711.46	Movie Theater	§ 790.64	P		
711.47	Adult Entertainment	§ 790.36			
711.48	Other Entertainment	§ 790.38	P		
711.49	Financial Service	§ 790.110	P #	C #	

1	711.50	Limited Financial Service	§ 790.112	P #		
2						
3	711.51	Medical Service	§ 790.114	P	P	
4	711.52	Personal Service	§ 790.116	P	P	
5						
6	711.53	Business or Professional Service	§ 790.108	P	P	
7						
8	711.54	Massage Establishment	§ 790.60, § 1900	C		
9			Health Code			
10	711.55	Tourist Hotel	§ 790.46	C	C	C
11	711.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
12						
13	711.57	Automotive Gas Station	§ 790.14	C		
14						
15	711.58	Automotive Service Station	§ 790.17	C		
16						
17	711.59	Automotive Repair	§ 790.15	C		
18						
19	711.60	Automotive Wash	§ 790.18			
20	711.61	Automobile Sale or Rental	§ 790.12			
21						
22	711.62	Animal Hospital	§ 790.6	C		
23	711.63	Ambulance Service	§ 790.2			
24	711.64	Mortuary	§ 790.62			
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1	711.65	Trade Shop	§ 790.124	P #	C #	
2	711.66	Storage	§ 790.117			
3	711.67	Video Store	§ 790.135	C	C	
4						
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6	711.68	Fringe Financial Service	§ 790.111	P#		
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10	<u>711.69</u>		<u>§ 790.93</u>	<u>P#</u>		
11		<u>Self-Service Specialty Food</u>				
12						
13	Institutions and Non-Retail Sales and Services					
14	Institutions and Non-Retail Sales and Services					
15	711.70	Administrative Service	§ 790.106			
16	711.80	Hospital or Medical	§ 790.44			
17		Center				
18	711.81	Other Institutions, Large	§ 790.50	P	C	C
19						
20	711.82	Other Institutions, Small	§ 790.51	P	P	P
21						
22	711.83	Public Use	§ 790.80	C	C	C
23						
24	711.84	Medical Cannabis	§ 790.141	P #		

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1		Dispensary				
2	RESIDENTIAL STANDARDS AND USES					
3	711.90	Residential Use	§ 790.88	P	P	P
4	711.91	Residential Density,	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
5		Dwelling Units				
6	711.92	Residential Density,	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
7		Group Housing				
8	711.93	Usable Open Space	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
9		<i>[Per Residential Unit]</i>				
10	711.94	Off-Street Parking,	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
11		Residential				
12	711.95	Community Residential	§ 790.10	C	C	C
13		Parking				

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18 SPECIFIC PROVISIONS FOR NC-2 DISTRICTS :

19

20	Article 7	Other	Zoning Controls
21	Code Section	Code	
22		Section	
23	§ 711.42 §	§ 781.1	TARAVAL STREET RESTAURANT AND FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the
24	711.43 §		

1	711.44 §		Taraval Street NC-2 District between 12th and 36th
2	<u>711.69</u>		Avenues as mapped on Sectional Maps 5 SU and 6 SU
3			Controls: Full-service restaurants, and small self-service
4			restaurants <i>and self-service specialty food</i> are C; large fast-
5			food restaurants are NP
6			IRVING STREET RESTAURANT AND FAST-FOOD
7			SUBDISTRICT Boundaries: Applicable only for the
8	§ 711.42 §		portion of the Irving Street NC-2 District between 19th and
9	711.43 §	§ 781.2	27th Avenues as mapped on Sectional Map 5 SU
10	711.44 §		Controls: Small self-service restaurants <i>and self-service</i>
11	<u>711.69</u>		<i>specialty food</i> are C; full-service restaurants and large fast-
12			food restaurants are NP
13			OCEAN AVENUE FAST-FOOD SUBDISTRICT
14			Boundaries: Applicable only for the Ocean Avenue NC-2
15	§ 711.43 §		District from Manor Drive to Phelan Avenue as mapped on
16	711.44 §	§ 781.3	Sectional Map 12 SU Controls: Small self-service
17	<u>711.69</u>		restaurants, <i>self-service specialty food</i> and large fast-food
18			restaurants are NP
19			CHESTNUT STREET FINANCIAL SERVICE
20	§ 711.49 §		SUBDISTRICT Boundaries: Applicable only for the
21	711.50 §	§ 781.7	Chestnut Street NC-2 District from Broderick to Fillmore
22	711.68		Streets as mapped on Sectional Map 2 SU Controls:
23			Financial services, limited financial services, and fringe
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		financial services are NP
§ 711.65	§ 236	GARMENT SHOP SPECIAL USE DISTRICT Boundaries: Applicable only for the portion of the Pacific Avenue NC-2 District east of Hyde Street as mapped on Sectional Map 1 SU a Controls: Garment shops are P at the 1st and 2nd stories
§ 711.68	§ 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 Mission Alcoholic Beverage Special Use District the Haight Street Alcohol Restricted Use District; the Third Street Alcohol Restricted Use District; the Divisadero Street Alcohol Restricted Use District; and the North of Market Residential Special Use District; and includes Small-Scale Neighborhood Commercial Districts within its boundaries. 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 Subsection 249.35(c)(3).
§ 711.84 § 790.141	Health Code § 3308	Medical cannabis dispensaries in NC-2 District may only operate between the hours of 8 a.m. and 10 p.m.

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Section 22. The San Francisco Planning Code is hereby amended by amending
Section 712.1, to read as follows:

SEC. 712.1. NC-3 -- MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels.

A diversified commercial environment is encouraged for the NC-3 District, and a wide variety of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking, entertainment, financial service and certain auto uses generally are permitted with certain limitations at the first and second stories. Other retail businesses, personal services and offices are permitted at all stories of new buildings. Limited storage and administrative service activities are permitted with some restrictions.

1 Housing development in new buildings is encouraged above the second story. Existing
 2 residential units are protected by limitations on demolitions and upper-story conversions.

3
 4 SEC. 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT

5
 6 NC-3 ZONING CONTROL TABLE

			NC-3
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
712.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	Generally, 40-X See Zoning Map
712.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
712.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a)(e)
712.13	Street Frontage		Required § 145.1
712.14	Awning	§ 790.20	P § 136.1(a)
712.15	Canopy	§ 790.26	P § 136.1(b)
712.16	Marquee	§ 790.58	P § 136.1(c)
712.17	Street Trees		Required § 143

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
712.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.6 to 1 § 124(a) (b)
712.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
712.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
712.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
712.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
712.25	Drive-Up Facility	§ 790.30	#
712.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
712.27	Hours of Operation	§ 790.48	No Limit

1	712.30	General Advertising Sign	§§ 262, 602--604, 608, 609	P # § 607.1(e)2
2				
3	712.31	Business Sign	§§ 262, 602--604, 608, 609	P # § 607.1(f)3
4				
5	712.32	Other Signs	§§ 262, 602--604, 608, 609	P # § 607.1(c) (d) (g)
6				
7				

10	11	No.	Zoning Category	§ References	NC-3		
					Controls by Story		
12	13	14	15	16	17	18	19
				§ 790.118	1st	2nd	3rd+
712.38	Residential Conversion	§ 790.84	P	C	C #		
712.39	Residential Demolition	§ 790.86	P	C	C		
Retail Sales and Services							
712.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P #	P #	P #		
712.41	Bar	§ 790.22	P	P			
712.42	Full-Service Restaurant	§ 790.92	P	P			

1	712.43	Large Fast Food Restaurant	§ 790.90	C #	C #	
2						
3	712.44	Small Self-Service Restaurant	§ 790.91	P #	P #	
4						
5	712.45	Liquor Store	§ 790.55			
6						
7	712.46	Movie Theater	§ 790.64	P	P	
8						
9	712.47	Adult Entertainment	§ 790.36	C	C	
10						
11	712.48	Other Entertainment	§ 790.38	P	P	
12						
13	712.49	Financial Service	§ 790.110	P	P	
14						
15	712.50	Limited Financial Service	§ 790.112	P	P	
16						
17	712.51	Medical Service	§ 790.114	P	P	P
18						
19	712.52	Personal Service	§ 790.116	P	P	P
20						
21	712.53	Business or Professional Service	§ 790.108	P	P	P
22						
23	712.54	Massage Establishment	§ 790.60, § 1900 Health Code	C	C	
24						
25	712.55	Tourist Hotel	§ 790.46	C	C	C
	712.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
	712.57	Automobile Gas Station	§ 790.14	C		

1	712.58	Automotive Service Station	§ 790.17	C		
2						
3	712.59	Automotive Repair	§ 790.15	C	C	
4	712.60	Automotive Wash	§ 790.18	C		
5						
6	712.61	Automobile Sale or Rental	§ 790.12	C		
7						
8	712.62	Animal Hospital	§ 790.6	C	C	
9	712.63	Ambulance Service	§ 790.2	C		
10	712.64	Mortuary	§ 790.62	C	C	C
11	712.65	Trade Shop	§ 790.124	P	C	C
12	712.66	Storage	§ 790.117	C	C	C
13	712.67	Video Store	§ 790.135	C	C	C
14						
15						
16		Fringe Financial				
17	712.68	Service	§ 790.111	P#		
18						
19	<u>712.69</u>	<u>Self-Service Specialty</u>	<u>§ 790.93</u>	<u>P#</u>	<u>P#</u>	
20		<u>Food</u>				
21						
22						
23	Institutions and Non-Retail Sales and Services					
24	712.70	Administrative Service	§ 790.106	C	C	C
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712.80	Hospital or Medical Center	§ 790.44	C	C	C
712.81	Other Institutions, Large	§ 790.50	P	P	P
712.82	Other Institutions, Small	§ 790.51	P	P	P
712.83	Public Use	§ 790.80	C	C	C
712.84	Medical Cannabis Dispensary	§ 790.141	P #		
RESIDENTIAL STANDARDS AND USES					
712.90	Residential Use	§ 790.88	P	P	P
712.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
712.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
712.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
712.94	Off-Street Parking, Residential	§§ 150, 153-157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		

1	712.95	Community Residential	§ 790.10	C	C	C
2		Parking				

3

4 SPECIFIC PROVISIONS FOR NC-3 DISTRICTS

5 TABLE INSET:

7	Article 7	Other	
8	Code	Code	Zoning Controls
9	Section	Section	
10	§ 712.25 §	§ 249.14	THIRD STREET SPECIAL USE DISTRICT Boundaries:
11	712.40		Applicable only to the portion of the Third Street SUD as
12			shown on Sectional Map 10 SU zoned NC-3 Controls: Off-
13			sale retail liquor sales as defined in Section 249.14(b)(1)(A)
14			are NP; drive-up facilities for large fast-food restaurants, <i>and</i>
15			small self-service restaurants <i>and self-service specialty food</i>
16			are C
17	§ 712.30 §	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT
18	712.31 §		Boundaries: Applicable only for the portion of the Market
19	712.32		Street NC-3 District from Octavia to Church Streets as
20			mapped on Sectional Map SSD Controls: Special
21			restrictions and limitations for signs
22	§ 712.38	§ 790.84	Boundaries: Applicable to NC-3 Districts Controls: A
23			residential use may be converted to an Other Institution,
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		Large, use, as defined by Section 790.50 of this Code, as a conditional use on the third story and above if in addition to the criteria set forth in Section 303, the Commission finds that: (1) The structure in which the residential use is to be converted has been found eligible for listing on the National Register of Historic Places; (2) The proposed Other Institution, Large, use is to be operated by a nonprofit public benefit corporation; and (3) No legally residing residential tenants will be displaced.
§ 712.43	§ 781.4	GEARY BOULEVARD FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the portion of the Geary Boulevard NC-3 District between 14th and 28th Avenues as mapped on Sectional Maps 3 SU and 4 SU Controls: Large fast-food restaurants are NP
§ 712.43 § 712.44 § <u>712.69</u>	§ 781.5	MISSION STREET FAST-FOOD SUBDISTRICT Boundaries: Applicable only for the portion of the Mission Street NC-3 District between 15th Avenue and Randall Street as mapped on Sectional Map 7 SU Controls: Small self-service restaurants <u>and self-service specialty food</u> are C; large fast-food restaurants are NP
§ 712.45	§ 781.10	17TH AND RHODE ISLAND STREET GROCERY STORE SPECIAL USE SUBDISTRICT. Boundaries: Applicable only for the block bound by 17th, Rhode Island, Mariposa and Kansas Streets as mapped on Sectional Map 8 SU

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		Controls: One liquor store on the first or second story is C if operated as integral element of a grocery store of not less than 30,000 gross square feet. Nighttime Entertainment uses are not permitted.
§ 712.68	§ 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 Mission Alcoholic Beverage Special Use District; the Haight Street Alcohol Restricted Use District; the Third Street Alcohol Restricted Use District; the Divisadero Street Alcohol Restricted Use District; and the North of Market Residential Special Use District; and includes Moderate-Scale Neighborhood Commercial Districts within its boundaries. 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 Subsection 249.35(c)(3).
§ 712.84 § 790.141	Health Code § 3308	Medical cannabis dispensaries in NC-3 District may only operate between the hours of 8 a.m. and 10 p.m.

Section 23. The San Francisco Planning Code is hereby amended by amending Section 713.1, to read as follows:

1 **SEC. 713.1. NC-S -- NEIGHBORHOOD COMMERCIAL SHOPPING CENTER**
2 **DISTRICT.**

3 NC-S Districts are intended to serve as small shopping centers or supermarket sites
4 which provide retail goods and services for primarily car-oriented shoppers. They commonly
5 contain at least one anchor store or supermarket, and some districts also have small medical
6 office buildings. The range of services offered at their retail outlets usually is intended to serve
7 the immediate and nearby neighborhoods. These districts encompass some of the most
8 recent (post-1945) retail development in San Francisco's neighborhoods and serve as an
9 alternative to the linear shopping street.

10 Shopping centers and supermarket sites contain mostly one-story buildings which are
11 removed from the street edge and set in a parking lot. Outdoor pedestrian activity consists
12 primarily of trips between the parking lot and the stores on-site. Ground and second stories
13 are devoted to retail sales and some personal services and offices.

14 The NC-S standards and use provisions allow for medium-size commercial uses in low-
15 scale buildings. Rear yards are not required for new development. Most neighborhood-serving
16 retail businesses are permitted at the first and second stories, but limitations apply to fast-food
17 restaurants and take-out food uses. Some auto uses are permitted at the first story. Limited
18 storage and administrative service activities are permitted with some restrictions.

19 Housing development in new buildings is permitted. Existing residential units are
20 protected by limitations on demolitions and prohibitions of upper-story conversions.

21
22 **SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT**
23 **NC-S ZONING CONTROL TABLE**

1			NC-S
2	No.	Zoning Category	§ References
3			Controls
4	BUILDING STANDARDS		
5	713.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271
6			Generally, 40-X # See Zoning Map
7	713.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1
8			Not Applicable
9	713.12	Rear Yard	§§ 130, 134, 136
10			Not Required
11	713.13	Street Frontage	
12			Required § 145.1
13	713.14	Awning	§ 790.20
14			P § 136.1(a)
15	713.15	Canopy	§ 790.26
16			P § 136.1(b)
17	713.16	Marquee	§ 790.58
18			P § 136.1(c)
19	713.17	Street Trees	
20			Required § 143
21	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES		
22	713.20	Floor Area Ratio	§§ 102.9, 102.12, 123
23			1.8 to 1 § 124(a)(b)
24	713.21	Use Size <i>[Non-Residential]</i>	§ 790.130
25			P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
	713.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5
			Generally, none required if occupied floor area is

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			less than 5,000 sq. ft. §§ 151, 161(g)
713.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
713.24	Outdoor Activity Area	§ 790.70	P/C § 145.2(a)
713.25	Drive-Up Facility	§ 790.30	C
713.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
713.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.;# C 2 a.m. 6 a.m.#
713.30	General Advertising Sign	§§ 262, 602--604, 608, 609	P # § 607.1(e)1
713.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2
713.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

No.	Zoning Category	§ References	NC-S
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1			Controls by Story		
2		§ 790.118	1st	2nd	3rd+
3	713.38	Residential Conversion	§ 790.84	P	
4	713.39	Residential Demolition	§ 790.86	P	C C
5	Retail Sales and Services				
6					
7	713.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P
8					
9	713.41	Bar	§ 790.22	P #	P #
10					
11	713.42	Full-Service Restaurant	§ 790.92	P	P
12					
13	713.43	Large Fast-Food Restaurant	§ 790.90	C	C
14					
15	713.44	Small Self-Service Restaurant	§ 790.91	P #	P #
16					
17	713.45	Liquor Store	§ 790.55	P	
18					
19	713.46	Movie Theater	§ 790.64	P #	#
20					
21	713.47	Adult Entertainment	§ 790.36		
22					
23	713.48	Other Entertainment	§ 790.38	P #	P #
24					
25	713.49	Financial Service	§ 790.110	P	P #
	713.50	Limited Financial	§ 790.112	P	P

1		Service				
2	713.51	Medical Service	§ 790.114	P	P	#
3	713.52	Personal Service	§ 790.116	P	P	#
4	713.53	Business or Professional Service	§ 790.108	P	P	#
5						
6	713.54	Massage Establishment	§ 790.60, § 1900 Health Code	C	C	
7						
8	713.55	Tourist Hotel	§ 790.46	C #	C #	C #
9						
10	713.56	Automobile Parking	§§ 790.8, 156, 160	P	P	
11						
12	713.57	Automotive Gas Station	§ 790.14	C		
13						
14	713.58	Automotive Service Station	§ 790.17	P		
15						
16	713.59	Automotive Repair	§ 790.15			
17						
18	713.60	Automotive Wash	§ 790.18	C		
19						
20	713.61	Automobile Sale or Rental	§ 790.12			
21						
22	713.62	Animal Hospital	§ 790.6	C	C	
23						
24	713.63	Ambulance Service	§ 790.2			
25						
	713.64	Mortuary	§ 790.62	C #	C #	

1	713.65	Trade Shop	§ 790.124	P	P	
2	713.66	Storage	§ 790.117	C	C	
3	713.67	Video Store	§ 790.135	C	C	
4						
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6						
7	713.68	Fringe Financial Service	§ 790.111	P#		
8						
9	<u>713.69</u>		<u>§ 790.93</u>	<u>P#</u>	<u>P#</u>	
10		<u>Self-Service Specialty Food</u>				
11						
12	Institutions and Non-Retail Sales and Services					
13						
14	713.70	Administrative Service	§ 790.106	C #	C #	#
15						
16	713.80	Hospital or Medical Center	§ 790.44			
17						
18	713.81	Other Institutions, Large	§ 790.50	P #	P #	#
19						
20	713.82	Other Institutions, Small	§ 790.51	P #	P #	P #
21						
22	713.83	Public Use	§ 790.80	C	C	C
23						
24	713.84	Medical Cannabis Dispensary	§ 790.141	P #		

25

RESIDENTIAL STANDARDS AND USES					
713.90	Residential Use	§ 790.88	P #	P #	P #
713.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area # § 207.4		
713.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area # § 208		
713.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft if private, or 133 sq. ft. if common # § 135(d)		
713.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
713.95	Community Residential Parking	§ 790.10	C	C #	C #

SPECIFIC PROVISIONS FOR NC-S DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 713.10 § 713.27 § 713.30 § 713.41 § 713.44 § 713.46 § 713.48 § 713.49 § 713.51 §	§ 253.3 § 780.1	LAKESHORE PLAZA SPECIAL USE DISTRICT Boundaries: Applicable only for the Lakeshore Plaza NC-S District as

1	713.52 § 713.53 § 713.64 §		mapped on Sectional Map 13SU and
2	<u>713.69</u> § 713.70 § 713.81 §		13H Controls: Special controls on various
3	713.82 § 713.90 § 713.91 §		features and uses, and residential
4	713.92 § 713.93 § 713.95		standards
5			Fringe financial services are P subject to
6			the restrictions set forth in Section 249.35,
7	§ 713.68	§ 249.35	including, but not limited to, the proximity
8			restrictions set forth in Subsection
9			249.35(c)(3).
10			BAYSHORE-HESTER SPECIAL USE
11			DISTRICT Boundaries: Applicable only
12			for the Bayshore-Hester Special Use
13	§ 713.55	§ 780.2	District NC-S District as mapped on the
14			Sectional Map 10SU Controls: Tourist
15			hotels (inclusive of motels) may be
16			permitted as a conditional use.
17		Health	Medical cannabis dispensaries in NC-S
18	§ 713.84 § 790.141	Code §	District may only operate between the
19		3308	hours of 8 a.m. and 10 p.m.
20			

21
22 Section 24. The San Francisco Planning Code is hereby amended by amending
23 Section 714.1, to read as follows:

24 **SEC. 714.1. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.**

1 The Broadway Neighborhood Commercial District, located in the northeast quadrant of
2 San Francisco, extends along Broadway from west of Columbus Avenue to Osgood Place. It
3 is part of a larger commercial area which includes North Beach to the north, Chinatown to the
4 south and west, and Jackson Square to the southeast. Broadway's fame and popularity as a
5 Citywide and regional entertainment district is derived from a concentration of nightclubs,
6 music halls, adult theaters, bars, and restaurants between Grant Avenue and Montgomery
7 Street. These places attract locals and visitors alike, mainly in the evening and late-night
8 hours. In addition to the entertainment and some retail businesses, Broadway contains many
9 upper-story residential hotels. Due to its proximity to downtown, there is strong pressure to
10 develop upper-story offices.

11 The Broadway District controls are designed to encourage development that is
12 compatible with the existing moderate building scale and mixed-use character, and maintain
13 the district's balance of entertainment uses, restaurants, and small-scale retail stores. New
14 buildings exceeding 40 feet in height will be carefully reviewed and rear yards at residential
15 levels are protected. Most commercial uses in new buildings are permitted at the first two
16 stories. Neighborhood-serving businesses are strongly encouraged. In order to protect the
17 livability of the area, limitations apply to new fast-food restaurants and adult entertainment
18 uses at the first and second stories, as well as late-night activity. Financial services are
19 allowed on the ground story subject to certain limitations. Nonretail offices are prohibited in
20 order to prevent encroachment of the adjoining downtown office uses. Due to the high traffic
21 volume on Broadway, most automobile and drive-up uses are prohibited in order to prevent
22 further traffic congestion. Parking garages are permitted if their ingress and egress do not
23 disrupt the traffic flow on Broadway.

24
25

1 Housing development in new buildings is encouraged above the second story. Existing
 2 housing is protected by limitations on demolitions and upper-story conversions.

3
 4 SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT

5 ZONING CONTROL TABLE

			Broadway
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
714.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	P up to 40 ft. C 40 to 65 ft. § 253.1
714.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
714.12	Rear Yard	§§ 130, 134, 136	Required at residential level only § 134(a) (e)
714.13	Street Frontage		Required § 145.1
714.14	Awning	§ 790.20	P § 136.1(a)
714.15	Canopy	§ 790.26	P § 136.1(b)
714.16	Marquee	§ 790.58	P § 136.1(c)
714.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
714.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
714.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
714.22	Off-Street Parking,	§§ 150, 153--157, 159--	Generally, none

1		Commercial/Institutional	160, 204.5		required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
2					
3					
4	714.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5		Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
5					
6					
7					
8	714.24	Outdoor Activity Area	§ 790.70		P if located in front; C if located elsewhere § 145.2(a)
9					
10	714.25	Drive-Up Facility	§ 790.30		
11					
12	714.26	Walk-Up Facility	§ 790.140		P if recessed 3 ft.; C if not recessed § 145.2(b)
13					
14	714.27	Hours of Operation	§ 790.48		P 6 a.m.--2 a.m.; C 2 a.m.--6 a.m.
15					
16	714.30	General Advertising Sign	§§ 262, 602--604, 608, 609		
17					
18	714.31	Business Sign	§§ 262, 602--604, 608, 609		P § 607.1(f)2
19					
20	714.32	Other Signs	§§ 262, 602--604, 608, 609		P § 607.1(c) (d) (g)
21	No.	Zoning Category	§ References		Broadway
22					Controls by Story
23			§ 790.118	1st	2nd
24	714.38	Residential Conversion	§ 790.84	P	C
25	714.39	Residential Demolition	§ 790.86	P	C
	Retail Sales and Services				
	714.40	Other Retail Sales and Services <i>[Not Listed]</i>	§ 790.102	P #	P #

	<i>Below]</i>				
1	714.41	Bar	§ 790.22	P	P
2	714.42	Full-Service Restaurant	§ 790.92	P	P
3	714.43	Large Fast Food Restaurant	§ 790.90		
4	714.44	Small Self-Service Restaurant	§ 790.91	C	C
5	714.45	Liquor Store	§ 790.55	C	
6	714.46	Movie Theater	§ 790.64	P	P
7	714.47	Adult Entertainment	§ 790.36	C	C
8	714.48	Other Entertainment	§ 790.38	P	P
9	714.49	Financial Service	§ 790.110	C	
9	714.50	Limited Financial Service	§ 790.112	C	
10	714.51	Medical Service	§ 790.114	P	P
11	714.52	Personal Service	§ 790.116	P	P
12	714.53	Business or Professional Service	§ 790.108	P	P
13	714.54	Massage Establishment	§ 790.60, § 1900 Health Code	P	C
14	714.55	Tourist Hotel	§ 790.46	C	C
15	714.56	Automobile Parking	§§ 790.8, 156, 160	C	C
16	714.57	Automotive Gas Station	§ 790.14		
17	714.58	Automotive Service Station	§ 790.17		
18	714.59	Automotive Repair	§ 790.15		
19	714.60	Automotive Wash	§ 790.18		
20	714.61	Automobile Sale or Rental	§ 790.12		
21	714.62	Animal Hospital	§ 790.6	C	
22	714.63	Ambulance Service	§ 790.2		
22	714.64	Mortuary	§ 790.62		
23	714.65	Trade Shop	§ 790.124	P #	C #
24	714.66	Storage	§ 790.117		

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1	714.67	Video Store	§ 790.135	C	C	
2						
3	714.68	Fringe Financial Service	§ 790.111			
4						
5				C		
6	<u>714.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>		C	
7						
8	Institutions and Non-Retail Sales and Services					
9	714.70	Administrative Service	§ 790.106			
10	714.80	Hospital or Medical Center	§ 790.44			
11	714.81	Other Institutions, Large	§ 790.50	P	C	C
12	714.82	Other Institutions, Small	§ 790.51	P	P	P
13	714.83	Public Use	§ 790.80	C	C	C
14	714.84	Medical Cannabis Dispensary	§ 790.141	P		
15	RESIDENTIAL STANDARDS AND USES					
16	714.90	Residential Use	§ 790.88	P	P	P
17	714.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4		
18	714.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208		
19	714.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 60 sq. ft if private, or 80 sq. ft. if common § 135(d)		
20	714.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
21						
22	714.95	Community Residential Parking	§ 790.10	C	C	C
23						
24						
25						

SPECIFIC PROVISIONS FOR THE BROADWAY
NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7 Code Section	Other Code Section	Zoning Controls
§ 714.10	§ 253.1	65-A-1 HEIGHT AND BULK DISTRICT Boundaries: Applicable for all of the Broadway NCD from Columbus Avenue to Osgood Place as mapped on Sectional Map 1H Controls: Building height and bulk limits are P up to 40 feet; C between 40 feet and 65 feet
§ 714.40	§ 790.102(n)	BROADWAY SPECIALTY RETAIL USES Boundaries: Broadway NCD Controls: Retail coffee stores defined pursuant to Code § 790.102(n) are not permitted without conditional use authorization except to the extent qualifying as specialty grocery permitted pursuant to § 790.102(b)
§ 714.65	§ 236	GARMENT SHOP SPECIAL USE DISTRICT Boundaries: Applicable only for the portion of Broadway NCD as mapped on Sectional Map 1 SU a Controls: Garment shops are P at the 1st and 2nd stories

Section 25. The San Francisco Planning Code is hereby amended by amending Section 715.1, to read as follows:

SEC. 715.1. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Castro Street District is situated in Eureka Valley, close to the geographic center of San Francisco between the Mission District, Twin Peaks, and Upper Market Street. The physical form of the district is a crossing at Castro and 18th Streets, the arms of which contain many small, but intensely active commercial businesses. The multi-purpose commercial district provides both convenience goods to its immediate neighborhood as well as

1 comparison shopping goods and services on a specialized basis to a wider trade area.
 2 Commercial businesses are active both in the daytime and late into the evening and include a
 3 number of gay-oriented bars and restaurants, as well as several specialty clothing and gift
 4 stores. The district also supports a number of offices in converted residential buildings.

5 The Castro Street District controls are designed to maintain existing small-scale
 6 development and promote a balanced mix of uses. Building standards permit small-scale
 7 buildings and uses and protect rear yards above the ground story and at residential levels. In
 8 new buildings, most commercial uses are permitted at the ground and second stories. Special
 9 controls are necessary to preserve the existing equilibrium of neighborhood-serving
 10 convenience and specialty commercial uses. In order to maintain convenience stores and
 11 protect adjacent residential livability, controls prohibit additional eating and drinking
 12 establishments and permit with certain limitations new late-night uses, adult and other
 13 entertainment, and financial service uses. The continuous retail frontage is maintained by
 14 prohibiting most automobile and drive-up uses.

15 Housing development in new buildings is encouraged above the second story. Existing
 16 housing units are protected by limitations on demolitions and upper-story conversions.

17
 18 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

19
 20 **ZONING CONTROL TABLE:**

21

			Castro Street
No.	Zoning Category	§ References	Controls

22
 23
 24
 25

1 BUILDING STANDARDS			
2			
3	715.10	Height and Bulk Limit	§§ 102.12, 105, 40-X, 65B See Zoning Map
4			106, 250--252, 260, 270, 271
5			
6	715.11	Lot Size <i>[Per Development]</i>	P up to 4,999 sq. ft.; C 5,000 sq. ft & above § 121.1
7			§§ 790.56, 121.1
8			
9			
10	715.12	Rear Yard	Required at the second story and above and at all residential levels § 134(a) (e)
11			§§ 130, 134, 136
12			
13	715.13	Street Frontage	Required § 145.1
14	715.14	Awning	P § 136.1(a)
15	715.15	Canopy	P § 136.1(b)
16	715.16	Marquee	P § 136.1(c)
17	715.17	Street Trees	Required § 143
18	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES		
19			
20	715.20	Floor Area Ratio	3.0 to 1 § 124(a) (b)
21			§§ 102.9, 102.11, 123
22			
23	715.21	Use Size <i>[Non-Residential]</i>	P to 1,999 sq. ft.; C 2,000 sq. ft. to 3,999 sq. ft.; NP 4,000 sq. ft. &
24			§ 790.130
25			

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			above § 121.2
715.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
715.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
715.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
715.25	Drive-Up Facility	§ 790.30	
715.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
715.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.; C 2 a.m.--6 a.m.
715.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
715.31	Business Sign	§§ 262, 602--604, 608, 609	P # § 607.1(f)2

1 2	715.32	Other Signs	§§ 262, 602--604, 608, 609	P # § 607.1(c) (d) (g)
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3 TABLE INSET:
4

5 6 7 8	No.	Zoning Category	§ References	Castro Street		
				Controls by Story		
			§ 790.118	1st	2nd	3rd+
9	715.38	Residential Conversion	§ 790.84	P	C	
10	715.39	Residential Demolition	§ 790.86	P	C	C
11 Retail Sales and Services						
12	715.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
13	715.41	Bar	§ 790.22			
14	715.42	Full-Service Restaurant	§ 790.92			
15	715.43	Large Fast Food Restaurant	§ 790.90	C #		
16	715.44	Small Self-Service Restaurant	§ 790.91			
17	715.45	Liquor Store	§ 790.55	C		
18	715.46	Movie Theater	§ 790.64	P		
19	715.47	Adult Entertainment	§ 790.36	C		
20	715.48	Other Entertainment	§ 790.38	C #		
21	715.49	Financial Service	§ 790.110	C	C	

1	715.50	Limited Financial Service	§ 790.112	C		
2	715.51	Medical Service	§ 790.114	P	P	C
3	715.52	Personal Service	§ 790.116	P	P	C
4	715.53	Business or Professional Service	§ 790.108	P	P	C
5						
6	715.54	Massage Establishment	§ 790.60, § 1900 Health Code	P	C	
7						
8	715.55	Tourist Hotel	§ 790.46	C	C	C
9						
10	715.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
11						
12	715.57	Automotive Gas Station	§ 790.14			
13	715.58	Automotive Service Station	§ 790.17			
14	715.59	Automotive Repair	§ 790.15			
15	715.60	Automotive Wash	§ 790.18			
16	715.61	Automobile Sale or Rental	§ 790.12			
17	715.62	Animal Hospital	§ 790.6	C		
18	715.63	Ambulance Service	§ 790.2			
19	715.64	Mortuary	§ 790.62			
20	715.65	Trade Shop	§ 790.124	P	C	
21	715.66	Storage	§ 790.117			
22	715.67	Video Store	§ 790.135	C	C	
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715.68	Fringe Financial Service	§ 790.111			
<u>715.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>			
Institutions and Non-Retail Sales and Services					
715.70	Administrative Service	§ 790.106			
715.80	Hospital or Medical Center	§ 790.44			
715.81	Other Institutions, Large	§ 790.50	P	C	C
715.82	Other Institutions, Small	§ 790.51	P	P	P
715.83	Public Use	§ 790.80	C	C	C
715.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
715.90	Residential Use	§ 790.88	P	P	P
715.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
715.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		

1 2 3 4 5	715.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
6 7 8 9	715.94	Off-Street Parking, Residential	§§ 150, 153-- 157, 159-- 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
10 11	715.95	Community Residential Parking	§ 790.10	C	C	C

12 SPECIFIC PROVISIONS FOR CASTRO STREET

13 NEIGHBORHOOD COMMERCIAL DISTRICT

14 TABLE INSET:

17 18 19	Article 7 Code Section	Other Code Section	Zoning Controls
20 21 22	§ 715.31 § 715.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT
23 24			Boundaries: Applicable only for the portions of the Castro Street NCD as mapped on Sectional Map SSD Controls:

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		Special restrictions and limitations for signs
§ 715.43		Boundaries: Applicable for the Castro Street NCD
		Controls: A large fast food restaurant may be permitted as a conditional use if in addition to the criteria set forth in § 303, the Commission finds that:
		(1) The large fast food restaurant will be located in an existing building that:
		(a) Is situated within the Castro Street NCD and adjacent to the Upper Market Street NCD, and
		(b) Straddles the intersection of Castro and Market Streets, where heavy pedestrian traffic already exists for the many retail businesses in the area, and the addition of a large fast food restaurant would not cause additional burdens to the street;
		(2) The large fast food restaurant will be located in a building jointly occupied by a nonprofit community group providing medical, cultural, social, or other community services to the Castro Street NCD;
		(3) The fast food restaurant will contribute substantially to the financial ability of the nonprofit community group's ability to locate and operate in that building by paying the nonprofit's rent and maintenance costs for the building for at least seven years and by making a one-time cash

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		contribution of \$120,000 to an AIDS-related community group;
		(4) That portion of the building occupied by the community use shall be at least twice the floor area occupied by the large fast food restaurant; and
		(5) No conditional use granted pursuant to this Section may exceed a period of 15 years unless a new conditional use application is filed and granted by the City Planning Commission or Board of Supervisors on appeal.
§ 715.48		Boundaries: Applicable for the Castro Street NCD. Controls: Existing bars in the Castro Street Neighborhood Commercial District will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; provided, however, that a conditional use is required (1) if an application for a conditional use for the entertainment use was filed with the Planning Department prior to the date this ordinance was introduced or (2) if a conditional use was denied within 12 months prior to the effective date of this ordinance.

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Section 26. The San Francisco Planning Code is hereby amended by amending Section 716.1, to read as follows:

SEC. 716.1. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Clement Street Commercial District is located on Clement Street between Arguello Boulevard and Funston Avenue in the eastern portion of the Richmond District of northwest San Francisco. The district provides a wide selection of convenience goods and services for the residents of the Inner Richmond neighborhood. Inner Clement Street has one of the greatest concentrations of restaurants of any commercial street in San Francisco, drawing customers from throughout the City and region. There are also a significant number of professional, realty, and business offices as well as financial institutions. The pleasant pedestrian character of the district is derived directly from the intensely active retail frontage on Clement Street.

The Inner Clement Street District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that supports the district's vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. In new development, most commercial uses are permitted at the first two stories, although certain limitations apply to uses at the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and comparison shopping businesses and protect adjacent residential livability. These controls prohibit additional financial service and limit additional eating and drinking establishments, late-night commercial uses and ground-story

1 entertainment uses. In order to maintain the street's active retail frontage, controls also
 2 prohibit most new automobile and drive-up uses.

3 Housing development is encouraged in new buildings above the ground story. Existing
 4 residential units are protected by prohibitions on upper-story conversions and limitations on
 5 demolitions.

6 SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
 7 ZONING CONTROL TABLE

8 TABLE INSET:

9

			Inner Clement Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
716.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
716.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
716.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
716.13	Street Frontage		Required § 145.1

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1	716.14	Awning	§ 790.20	P § 136.1(a)
2	716.15	Canopy	§ 790.26	P § 136.1(b)
3	716.16	Marquee	§ 790.58	P § 136.1(c)
4	716.17	Street Trees		Required § 143
5	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
6	716.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
7	716.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above §121.2
8	716.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
9	716.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
10	716.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
11	716.25	Drive-Up Facility	§ 790.30	

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1				P if recessed 3 ft.; C if
2	716.26	Walk-Up Facility	§ 790.140	not recessed § 145.2(b)
3				
4	716.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.; C 2
5				a.m.--6 a.m.
6	716.30	General Advertising Sign	§§ 262, 602--604,	
7			608, 609	
8	716.31	Business Sign	§§ 262, 602--604,	P § 607.1(f)2
9			608, 609	
10	716.32	Other Signs	§§ 262, 602--604,	P § 607.1(c) (d) (g)
11			608, 609	
12				

13 TABLE INSET:

14				Inner Clement Street		
15	No.	Zoning Category	§ References	Controls by Story		
16						
17			§ 790.118	1st	2nd	3rd+
18	716.38	Residential Conversion	§ 790.84	P		
19	716.39	Residential Demolition	§ 790.86	P	C	C
20						
21	Retail Sales and Services					
22		Other Retail Sales and				
23	716.40	Services <i>[Not Listed</i>	§ 790.102	P	C	
24		<i>Below]</i>				
25						

1	716.41	Bar	§ 790.22	C		
2	716.42	Full-Service Restaurant	§ 790.92	C		
3						
4	716.43	Large Fast Food Restaurant	§ 790.90			
5						
6	716.44	Small Self-Service Restaurant	§ 790.91			
7						
8	716.45	Liquor Store	§ 790.55	C		
9						
10	716.46	Movie Theater	§ 790.64	P		
11	716.47	Adult Entertainment	§ 790.36			
12	716.48	Other Entertainment	§ 790.38	C		
13	716.49	Financial Service	§ 790.110			
14						
15	716.50	Limited Financial Service	§ 790.112	C		
16						
17	716.51	Medical Service	§ 790.114	P	C	
18	716.52	Personal Service	§ 790.116	P	C	
19	716.53	Business or Professional Service	§ 790.108	P	C	
20						
21	716.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
22						
23	716.55	Tourist Hotel	§ 790.46	C	C	
24						
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1	716.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
2						
3	716.57	Automotive Gas Station	§ 790.14			
4						
5	716.58	Automotive Service Station	§ 790.17			
6						
7	716.59	Automotive Repair	§ 790.15			
8						
9	716.60	Automotive Wash	§ 790.18			
10						
11	716.61	Automobile Sale or Rental	§ 790.12			
12						
13	716.62	Animal Hospital	§ 790.6	C		
14						
15	716.63	Ambulance Service	§ 790.2			
16						
17	716.64	Mortuary	§ 790.62			
18						
19	716.65	Trade Shop	§ 790.124	P	C	
20						
21	716.66	Storage	§ 790.117			
22						
23	716.67	Video Store	§ 790.135	C	C	
24						
25	716.68	Fringe Financial Service	§ 790.111			
	<u>716.69</u>	<u>Self-Service Specialty Food</u>	<u> § 790.93</u>			

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Institutions and Non-Retail Sales and Services					
716.70	Administrative Service	§ 790.106			
716.80	Hospital or Medical Center	§ 790.44			
716.81	Other Institutions, Large	§ 790.50	P	C	C
716.82	Other Institutions, Small	§ 790.51	P	P	P
716.83	Public Use	§ 790.80	C	C	C
716.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
716.90	Residential Use	§ 790.88	P	P	P
716.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
716.92	Residential Density, Group Housing	§§ 207.1, 790.88 (b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
716.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135 (d)		

1 2 3	716.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
4 5	716.95	Community Residential Parking	§ 790.10	C	C	C

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SPECIFIC PROVISIONS FOR THE INNER CLEMENT STREET
NEIGHBORHOOD COMMERCIAL DISTRICT

10

TABLE INSET:

11 12	Article 7 Code Section	Other Code Section	Zoning Controls
13 14 15 16 17 18 19 20 21 22 23 24	§ 716.41	§ 790.22	<p>INNER CLEMENT STREET LIQUOR LICENSES FOR FULL-SERVICE RESTAURANTS Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District Controls: (a) In order to allow certain restaurants to seek an ABC license type 47 so that liquor may be served for drinking on the premises, a bar use, as defined in § 790.22, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The bar function is operated as an integral element of an establishment which is classified both as: (A) a full-service</p>

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		<p>restaurant as defined in §790.92 and (B) a bona-fide restaurant as defined in §781.8(c); and</p> <p>(2) The establishment maintains only an ABC license type 47. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to §790.22, are not permitted for those uses subject to this Section.</p> <p>(b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
§ 716.41	§ 790.22	<p>INNER CLEMENT STREET LIQUOR LICENSES FOR BARS</p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District</p> <p>Controls: (a) In order to allow wine and/or beer bars to seek an ABC license type 42 so that wine and beer (but not hard spirits) may be served for drinking on the premises, a bar use, as defined in §790.22, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The bar function is operated as a wine and beer bar with an ABC license type 42, which may include incidental food services; and</p> <p>(2) The establishment maintains only an ABC license type 42</p>

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		<p>and/or an ABC license type 20 permitting off-premises sales of wine and beer. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to §790.22, are not permitted for those uses subject to this Section.</p> <p>(b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
<p>§716.41 and 716.42</p>	<p>§790.92 and 790.22</p>	<p>INNER CLEMENT STREET FULL-SERVICE RESTAURANTS AND BARS</p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District</p> <p>Controls: A full-service restaurant or a bar may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission has approved no more than a total of three (3) full-service restaurants or bars in accordance with this Section. Should a full-service restaurant or bar permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new full-service restaurant or bar in accordance with the terms of this Section.</p>

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Section 27. The San Francisco Planning Code is hereby amended by amending Section 717.1, to read as follows:

SEC. 717.1. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Outer Clement Street Neighborhood Commercial District is located on Clement Street between 19th Avenue and 27th Avenue in the western portion of the Richmond District.

The shopping area contains small-scale convenience businesses, as well as many restaurants and a movie theater. The district's restaurants serve a neighborhood and Citywide clientele during the evening hours, while convenience shopping uses cater for the most part to daytime neighborhood shoppers. Outer Clement Street contains many mixed-use buildings with some fully commercial and fully residential buildings interspersed between them.

The Outer Clement Street District controls are designed to promote development that is in keeping with the district's existing small-scale, mixed-use character. The building standards monitor large-scale development and protect rear yards at all levels. Future commercial growth is directed to the ground story in order to promote more continuous and active retail frontage. Additional eating and drinking establishments are prohibited, while ground-story entertainment and financial service uses are monitored in order to limit the problems of traffic, congestion, noise and late-night activity associated with such uses and to protect existing neighborhood-serving businesses. Other controls restricting late-night activity, hotels, automobile uses, and drive-up facilities are designed to preserve the low-intensity character of the district.

1 Housing development in new buildings is encouraged above the ground story. Existing
 2 residential units are protected by prohibitions of upper-story conversions and limitations on
 3 demolitions.

4 SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
 5 ZONING CONTROL TABLE

6 TABLE INSET:

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			Outer Clement Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
717.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
717.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
717.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
717.13	Street Frontage		Required § 145.1
717.14	Awning	§ 790.20	P § 136.1(a)
717.15	Canopy	§ 790.26	P § 136.1(b)
717.16	Marquee	§ 790.58	P § 136.1(c)

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717.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
717.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
717.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
717.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
717.23	Off-Street Freight Loading	§§ 150, 153-155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
717.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
717.25	Drive-Up Facility	§ 790.30	
717.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)

1	717.27	Hours of Operation	§ 790.48	P 6 a.m.--11 p.m.; C 11 p.m.--2 a.m.
2				
3	717.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
4				
5	717.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f) 2
6				
7	717.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
8				
9				

10 TABLE INSET:

11 No.	12 Zoning Category	13 § References	14 Outer Clement Street		
			15 Controls by Story		
		16 § 790.118	17 1st	18 2nd	19 3rd+
20 717.38	21 Residential Conversion	22 § 790.84	P		
23 717.39	24 Residential Demolition	25 § 790.86	P	C	C
Retail Sales and Services					
717.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P		
717.41	Bar	§ 790.22			
717.42	Full-Service Restaurant	§ 790.92			

1	717.43	Large Fast Food Restaurant	§ 790.90			
2						
3	717.44	Small Self-Service Restaurant	§ 790.91			
4						
5	717.45	Liquor Store	§ 790.55	C		
6						
7	717.46	Movie Theater	§ 790.64	P		
8						
9	717.47	Adult Entertainment	§ 790.36			
10	717.48	Other Entertainment	§ 790.38	C		
11						
12	717.49	Financial Service	§ 790.110	C		
13	717.50	Limited Financial Service	§ 790.112	C		
14						
15	717.51	Medical Service	§ 790.114	P		
16	717.52	Personal Service	§ 790.116	P		
17	717.53	Business or Professional Service	§ 790.108	P		
18	717.54	Massage Establishment	§ 790.60, § 1900 Health Code			
19						
20	717.55	Tourist Hotel	§ 790.46			
21	717.56	Automobile Parking	§§ 790.8, 156, 160	C	C	
22						
23	717.57	Automotive Gas Station	§ 790.14			
24						
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1	717.58	Automotive Service Station	§ 790.17			
2						
3	717.59	Automotive Repair	§ 790.15			
4	717.60	Automotive Wash	§ 790.18			
5						
6	717.61	Automobile Sale or Rental	§ 790.12			
7						
8	717.62	Animal Hospital	§ 790.6	C		
9	717.63	Ambulance Service	§ 790.2			
10	717.64	Mortuary	§ 790.62			
11	717.65	Trade Shop	§ 790.124	P		
12	717.66	Storage	§ 790.117			
13	717.67	Video Store	§ 790.135	C	C	
14						
15						
16						
17	717.68	Fringe Financial Service	§ 790.111			
18						
19	<u>717.69</u>		<u>§ 790.93</u>			
20		<i>Self-Service Specialty Food</i>				
21						
22	Institutions and Non-Retail Sales and Services					
23						
24	717.70	Administrative Service	§ 790.106			
25						

1	717.80	Hospital or Medical Center	§ 790.44			
2						
3	717.81	Other Institutions, Large	§ 790.50	P	C	C
4						
5	717.82	Other Institutions, Small	§ 790.51	P	P	P
6						
7	717.83	Public Use	§ 790.80	C	C	C
8						
9	717.84	Medical Cannabis Dispensary	§ 790.141	P		
10						
11	RESIDENTIAL STANDARDS AND USES					
12	717.90	Residential Use	§ 790.88	P	P	P
13	717.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
14						
15	717.92	Residential Density, Group Housing	§§ 207.1, 790.88 (b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
16						
17	717.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
18						
19	717.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
20						
21	717.95	Community Residential	§ 790.10	C	C	C
22						
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1	Parking				
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2
3 Section 28. The San Francisco Planning Code is hereby amended by amending
4 Section 718.1, to read as follows:

5
6 **SEC. 718.1. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL
DISTRICT.**

7 The Upper Fillmore Street Neighborhood Commercial District is situated in the south-
8 central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to
9 Bush and extends west one block along California and Pine Streets. This medium-scaled,
10 multi-purpose commercial district provides convenience goods to its immediate neighborhood
11 as well as comparison shopping goods and services on a specialized basis to a wider trade
12 area. Commercial businesses are active during both day and evening and include a number
13 of bars, restaurants, specialty groceries, and specialty clothing stores.

14 The Upper Fillmore District controls are designed to protect the existing building scale
15 and promote new mixed-use development which is in character with adjacent buildings.
16 Building standards regulate large lot and use development and protect rear yards above the
17 ground story and at residential levels. Most commercial uses are permitted at the first two
18 stories of new buildings. Special controls are designed to preserve the existing equilibrium of
19 neighborhood-serving convenience and specialty commercial uses. In order to maintain
20 convenience stores and protect adjacent livability, additional eating and drinking
21 establishments are prohibited and ground-story entertainment and financial service uses are
22 limited. In order to promote continuous retail frontage, drive-up and most automobile uses are
23 prohibited.
24
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1 Housing development in new buildings is encouraged above the second story. Existing
 2 residential units are protected by limitations on demolitions and upper-story conversions.

3
 4 SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT
 5 ZONING CONTROL TABLE

6 TABLE INSET:

			Upper Fillmore Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
718.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
718.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
718.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
718.13	Street Frontage		Required § 145.1
718.14	Awning	§ 790.20	P § 136.1(a)
718.15	Canopy	§ 790.26	P § 136.1(b)

1	718.16	Marquee	§ 790.58	P § 136.1(c)
2	718.17	Street Trees		Required § 143
3	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
4				
5	718.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
6				
7	718.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
8				
9				
10	718.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
11				
12				
13				
14	718.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
15				
16				
17				
18	718.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
19				
20				
21	718.25	Drive-Up Facility	§ 790.30	
22				
23	718.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
24				
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718.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.; C 2 a.m.--6 a.m.
718.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
718.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f) 2
718.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	Upper Fillmore Street		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
718.38	Residential Conversion	§ 790.84	P	C	
718.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
718.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
718.41	Bar	§ 790.22			

1	718.42	Full-Service Restaurant	§ 790.92			
2						
3	718.43	Large Fast Food Restaurant	§ 790.90			
4						
5	718.44	Small Self-Service Restaurant	§ 790.91			
6						
7	718.45	Liquor Store	§ 790.55	C		
8						
9	718.46	Movie Theater	§ 790.64	P		
10						
11	718.47	Adult Entertainment	§ 790.36			
12						
13	718.48	Other Entertainment	§ 790.38	C		
14						
15	718.49	Financial Service	§ 790.110	C		
16						
17	718.50	Limited Financial Service	§ 790.112	C		
18						
19	718.51	Medical Service	§ 790.114	P	P	
20						
21	718.52	Personal Service	§ 790.116	P	P	
22						
23	718.53	Business or Professional Service	§ 790.108	P	P	
24						
25	718.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
	718.55	Tourist Hotel	§ 790.46	C	C	C
	718.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C

1	718.57	Automotive Gas Station	§ 790.14			
2						
3	718.58	Automotive Service	§ 790.17			
4		Station				
5	718.59	Automotive Repair	§ 790.15			
6	718.60	Automotive Wash	§ 790.18			
7						
8	718.61	Automobile Sale or	§ 790.12			
9		Rental				
10	718.62	Animal Hospital	§ 790.6	C		
11	718.63	Ambulance Service	§ 790.2			
12	718.64	Mortuary	§ 790.62			
13	718.65	Trade Shop	§ 790.124	P		
14	718.66	Storage	§ 790.117			
15	718.67	Video Store	§ 790.135	C	C	
16						
17						
18	718.68	Fringe Financial Service	§ 790.111			
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20						
21	<u>718.69</u>		<u>§ 790.93</u>			
22		<u>Self-Service Specialty Food</u>				
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Institutions and Non-Retail Sales and Services					
718.70	Administrative Service	§ 790.106			
718.80	Hospital or Medical Center	§ 790.44			
718.81	Other Institutions, Large	§ 790.50	P	C	C
718.82	Other Institutions, Small	§ 790.51	P	P	P
718.83	Public Use	§ 790.80	C	C	C
718.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
718.90	Residential Use	§ 790.88	P	P	P
718.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
718.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
718.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
718.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a)		

1			(g)			
2	718.95	Community Residential Parking	§ 790.10	C	C	C
3						
4						

5 Section 29. The San Francisco Planning Code is hereby amended by amending
6 Section 719.1, to read as follows:

7
8 **SEC. 719.1. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

9 Northwest of the City's geographical center, the Haight Street Neighborhood
10 Commercial District is located in the Haight-Ashbury neighborhood, extending along Haight
11 Street between Stanyan and Central Avenue, including a portion of Stanyan Street between
12 Haight and Beulah. The shopping area provides convenience goods and services to local
13 Haight-Ashbury residents, as well as comparison shopping goods and services to a larger
14 market area. The commercial district is also frequented by users of Golden Gate Park on
15 weekends and by City residents for its eating, drinking, and entertainment places. Numerous
16 housing units establish the district's mixed residential-commercial character.

17 The Haight Street District controls are designed to protect the existing building scale
18 and promote new mixed-use development which is in character with adjacent buildings. The
19 building standards regulate large-lot and use development and protect rear yards above the
20 ground story and at residential levels. To promote the prevailing mixed-use character, most
21 commercial uses are directed primarily to the ground story with some upper-story restrictions
22 in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving
23 commercial uses and regulate the more intensive commercial uses which can generate
24 congestion and nuisance problems, special controls prohibit additional eating and drinking
25

1 uses, restrict expansion and intensification of existing eating and drinking establishments, and
 2 limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses
 3 protect the district's continuous retail frontage.

4 Housing development in new buildings is encouraged above the ground story. Existing
 5 residential units are protected by prohibition of upper-story conversions and limitations on
 6 demolitions.

8 SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

9
 10 ZONING CONTROL TABLE

11 TABLE INSET:

			Haight Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
719.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
719.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
719.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)

1	719.13	Street Frontage		Required § 145.1
2	719.14	Awning	§ 790.20	P § 136.1(a)
3	719.15	Canopy	§ 790.26	P § 136.1(b)
4	719.16	Marquee	§ 790.58	P § 136.1(c)
5	719.17	Street Trees		Required § 143
6	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
7				
8	719.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
9				
10	719.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
11				
12				
13	719.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
14				
15				
16				
17	719.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
18				
19				
20				
21	719.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
22				
23				
24				

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1	719.25	Drive-Up Facility	§ 790.30	
2				P if recessed 3 ft.; C if
3	719.26	Walk-Up Facility	§ 790.140	not recessed § 145.2(b)
4				
5				P 6 a.m.--2 a.m.; C 2
6	719.27	Hours of Operation	§ 790.48	a.m.--6 a.m.
7				
8	719.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
9				
10	719.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2
11				
12	719.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
13				

14 TABLE INSET:

16	No.	Zoning Category	§ References	Haight Street		
17				Controls by Story		
18			§ 790.118	1st	2nd	3rd+
19						
20	719.38	Residential Conversion	§ 790.84	P		
21	719.39	Residential Demolition	§ 790.86	P	C	C
22	Retail Sales and Services					
23						
24	719.40	Other Retail Sales and Services <i>[Not Listed]</i>	§ 790.102	P#	C#	#
25						

1		<i>Below]</i>				
2	719.41	Bar	§ 790.22	#	#	#
3		Full-Service Restaurant				
4	719.42		§ 790.92	#	#	#
5		Large Fast Food				
6	719.43	Restaurant	§ 790.90	#	#	#
7		Small Self-Service				
8	719.44	Restaurant	§ 790.91	#	#	#
9		Liquor Store				
10	719.45		§ 790.55			
11	719.46	Movie Theater	§ 790.64	P		
12	719.47	Adult Entertainment	§ 790.36			
13	719.48	Other Entertainment	§ 790.38	C		
14	719.49	Financial Service	§ 790.110	P		
15		Limited Financial				
16	719.50	Service	§ 790.112	P		
17		Medical Service			C	
18	719.51		§ 790.114			
19	719.52	Personal Service	§ 790.116	P	C	
20		Business or Professional				
21	719.53	Service	§ 790.108	P	C	
22		Massage Establishment				
23	719.54		§ 790.60, § 1900 Health Code	C		

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1	719.55	Tourist Hotel	§ 790.46	C	C	
2	719.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
3						
4	719.57	Automotive Gas Station	§ 790.14			
5						
6	719.58	Automotive Service Station	§ 790.17			
7						
8	719.59	Automotive Repair	§ 790.15	C		
9						
10	719.60	Automotive Wash	§ 790.18			
11						
12	719.61	Automobile Sale or Rental	§ 790.12			
13	719.62	Animal Hospital	§ 790.6	C		
14	719.63	Ambulance Service	§ 790.2			
15	719.64	Mortuary	§ 790.62			
16	719.65	Trade Shop	§ 790.124	P		
17	719.66	Storage	§ 790.117			
18	719.67	Video Store	§ 790.135	C	C	
19						
20	719.68	Fringe Financial Service	§ 790.111		#	#
21				#		
22	<u>719.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>		#	#
23						
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Institutions and Non-Retail Sales and Services					
719.70	Administrative Service	§ 790.106			
719.80	Hospital or Medical Center	§ 790.44			
719.81	Other Institutions, Large	§ 790.50	P	C	C
719.82	Other Institutions, Small	§ 790.51	P	P	P
719.83	Public Use	§ 790.80	C	C	C
719.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
719.90	Residential Use	§ 790.88	P	P	P
719.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area -- § 207.4		
719.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area -- § 208		
719.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if		

			common § 135(d)		
719.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
719.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE HAIGHT STREET DISTRICT

TABLE INSET:

Article 7 Code Section	Other Code Section	Zoning Controls
§ 719.40 § 719.41 § 719.42 § 719.43 § 719.44 <u>§ 719.69</u>	§ 781.9	Boundaries: The entire Haight Street Neighborhood Commercial District. Controls: Retail establishments selling off-sale or on-sale alcoholic beverages are not permitted pursuant to Section 781.9.
§ 719.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD includes, but is not limited to, the Haight Street Neighborhood Commercial District. Controls: Fringe financial services are

		NP pursuant to Section 249.35.
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2
3 Section 30. The San Francisco Planning Code is hereby amended by amending
4 Section 720.1, to read as follows:

5 **SEC. 720.1. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT.**

6 The Hayes-Gough Neighborhood Commercial District is located within walking distance of the
7 Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern tip
8 resting at Lily Street. This mixed-use commercial district contains a limited range of retail
9 commercial activity, which primarily caters to the immediate needs of the neighborhood. The
10 few comparison goods that it does provide attract clientele from a wider area outside its
11 neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a
12 number of restaurants and art galleries, but other types of retail activity are limited.

13 The Hayes-Gough District controls are designed to allow for growth and expansion that is
14 compatible with the existing building and use scales. Building standards protect the moderate
15 building and use size and require rear yards at residential levels. To maintain the mixed-use
16 character of the district, most commercial uses are permitted at the first and second stories
17 and housing is strongly encouraged at the third story and above. In order to encourage lively
18 pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses,
19 eating and drinking, and entertainment uses are directed to the ground story. Retail sales
20 activity, especially neighborhood-serving businesses, is further promoted by restricting new
21 ground-story medical, business and professional offices. To protect continuous frontage,
22 drive-up and most automobile uses are prohibited.

23 Housing development in new buildings is encouraged above the second story. Existing
24 residential units are protected by limitations on demolitions and upper-story conversions.
25

1 SEC. 720. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL DISTRICT

2 ZONING CONTROL TABLE

3 TABLE INSET:

4

5

			Hayes-Gough
No.	Zoning Category	§ References	Controls
7 BUILDING STANDARDS			
8 720.10	9 Height and Bulk Limit	10 §§ 102.12, 105, 11 106, 250--252, 260, 12 270, 271	13 50-X, 65-A See Zoning 14 Map
15 720.11	16 Lot Size <i>[Per Development]</i>	17 §§ 790.56, 121.1	18 P up to 9,999 sq. ft.; C 19 10,000 sq. ft. & above § 20 121.1
21 720.12	22 Rear Yard	23 §§ 130, 134, 136	24 Required at residential 25 levels only § 134(a) (e)
720.13	Street Frontage		Required § 145.1
720.14	Awning	§ 790.20	P § 136.1(a)
720.15	Canopy	§ 790.26	P § 136.1(b)
720.16	Marquee	§ 790.58	P § 136.1(c)
720.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
720.20	Floor Area Ratio	§§ 102.9, 102.11,	3.0 to 1 § 124(a) (b)

1			123	
2	720.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
3				
4				
5	720.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
6				
7				
8				
9	720.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor is less than 10,000 sq. ft. §§ 152, 161(b)
10				
11				
12				
13	720.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
14				
15				
16	720.25	Drive-Up Facility	§ 790.30	
17				
18	720.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
19				
20				
21	720.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.
22				
23	720.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
24				
25				

1 2	720.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2
3 4	720.32	Other Signs	§§ 262, 602--604, 608, 609	P # § 607.1(c) (d) (g)

5 TABLE INSET:

7 8 9	No.	Zoning Category	§ References	Hayes-Gough		
				Controls by Story		
10			§ 790.118	1st	2nd	3rd+
11	720.38	Residential Conversion	§ 790.84	P	C	
12	720.39	Residential Demolition	§ 790.86	P	C	C
13	Retail Sales and Services					
14	720.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
15	720.41	Bar	§ 790.22	P		
16	720.42	Full-Service Restaurant	§ 790.92	P		
17	720.43	Large Fast Food Restaurant	§ 790.90	C		
18	720.44	Small Self-Service Restaurant	§ 790.91	P		
19	720.45	Liquor Store	§ 790.55	C		

1	720.46	Movie Theater	§ 790.64	P		
2	720.47	Adult Entertainment	§ 790.36			
3	720.48	Other Entertainment	§ 790.38	C		
4	720.49	Financial Service	§ 790.110	P	C	
5	720.50	Limited Financial Service	§ 790.112	P		
6	720.51	Medical Service	§ 790.114	C	P	C
7	720.52	Personal Service	§ 790.116	P	P	C
8	720.53	Business or Professional Service	§ 790.108	C	P	C
9	720.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
10	720.55	Tourist Hotel	§ 790.46	C	C	C
11	720.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
12	720.57	Automotive Gas Station	§ 790.14			
13	720.58	Automotive Service Station	§ 790.17			
14	720.59	Automotive Repair	§ 790.15			
15	720.60	Automotive Wash	§ 790.18			
16	720.61	Automobile Sale or	§ 790.12			

25

1		Rental				
2	720.62	Animal Hospital	§ 790.6	C		
3	720.63	Ambulance Service	§ 790.2			
4	720.64	Mortuary	§ 790.62			
5	720.65	Trade Shop	§ 790.124	P	C	
6	720.66	Storage	§ 790.117			
7	720.67	Video Store	§ 790.135	C	C	
9						
10						
11	720.68	Fringe Financial Service	§ 790.111	P#		
12						
13						
14	<u>720.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>	<u>P</u>		
15						
16						
17	Institutions and Non-Retail Sales and Services					
18	720.70	Administrative Service	§ 790.106			
19						
20	720.80	Hospital or Medical Center	§ 790.44			
21						
22	720.81	Other Institutions, Large	§ 790.50	P	C	C
23						
24	720.82	Other Institutions, Small	§ 790.51	P	P	P

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1					
2	720.83	Public Use	§ 790.80	C	C
3	720.84	Medical Cannabis Dispensary	§ 790.141	P	
4					
5	RESIDENTIAL STANDARDS AND USES				
6	720.90	Residential Use	§ 790.88	P	P
7	720.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4	
8	720.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208	
9	720.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 60 sq. ft. if private, or 80 sq. ft. if common § 135(d)	
10	720.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)	
11	720.95	Community Residential Parking	§ 790.10	C	C
12					

21 SPECIFIC PROVISIONS FOR THE HAYES-GOUGH DISTRICT

22 TABLE INSET:

23	Article 7	Other Code	Zoning Controls
24			

1 2 Code Section	Section	
3 4 5 6 720.68	§ 249.35	Fringe financial services are P subject to the restrictions set forth in Section 249.35, including, but not limited to, the proximity restrictions set forth in Subsection 249.35(c)(3).

8 Section 31. The San Francisco Planning Code is hereby amended by amending
9 Section 721.1, to read as follows:

10
11 **SEC. 721.1. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

12 The Upper Market Street Neighborhood Commercial District, on Market Street from
13 Church to Castro, and on side streets off Market, is situated at the border of the Eureka
14 Valley, Buena Vista, and Duboce Triangle neighborhoods. Upper Market Street is a multi-
15 purpose commercial district that provides limited convenience goods to adjacent
16 neighborhoods, but also serves as a shopping street for a broader trade area. A large number
17 of offices are located on Market Street within easy transit access to downtown. The width of
18 Market Street and its use as a major arterial diminish the perception of the Upper Market
19 Street District as a single commercial district. The street appears as a collection of dispersed
20 centers of commercial activity, concentrated at the intersections of Market Street with
21 secondary streets.
22

23 The Upper Market Street district controls are designed to promote moderate-scale
24 development which contributes to the definition of Market Street's design and character. They
25

1 are also intended to preserve the existing mix of commercial uses and maintain the livability of
 2 the district and its surrounding residential areas. Large-lot and use development is reviewed
 3 for consistency with existing development patterns. Rear yards are protected at residential
 4 levels. To promote mixed-use buildings, most commercial uses are permitted with some
 5 limitations above the second story. In order to maintain continuous retail frontage and
 6 preserve a balanced mix of commercial uses, ground-story neighborhood-serving uses are
 7 encouraged, and eating and drinking, entertainment, and financial service uses are limited.
 8 Continuous frontage is promoted by prohibitions of most automobile and drive-up uses.

9 Housing development in new buildings is encouraged above the second story. Existing
 10 upper-story residential units are protected by limitations on demolitions and upper-story
 11 conversions.

13 SEC. 721. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICT
 14 ZONING CONTROL TABLE

15 TABLE INSET:

			Upper Market Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
721.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X, 50-X, 65-B, 80-B See Zoning Map
721.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft. C

1			10,000 sq. ft. & above §
2			121.1
3	721.12	Rear Yard	§§ 130, 134, 136
4			Required at residential levels only § 134(a) (e)
5	721.13	Street Frontage	
6			Required § 145.1
7	721.14	Awning	§ 790.20
8			P § 136.1(a)
9	721.15	Canopy	§ 790.26
10			P § 136.1(b)
11	721.16	Marquee	§ 790.58
12			P § 136.1(c)
13	721.17	Street Trees	
14			Required § 143
15	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES		
16	721.20	Floor Area Ratio	§§ 102.9, 102.11, 123
17			3.0 to 1 § 124(a) (b)
18	721.21	Use Size <i>[Non-Residential]</i>	§ 790.130
19			P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
20	721.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5
21			Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
22	721.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5
23			Generally, none required if gross floor area is less than 10,000 sq. ft. §§
24			
25			

1			152, 161(b)
2			P if located in front; C if
3	721.24	Outdoor Activity Area	located elsewhere §
4			145.2(a)
5	721.25	Drive-Up Facility	
6			
7	721.26	Walk-Up Facility	P if recessed 3 ft.; C if
8			not recessed § 145.2(b)
9			
10	721.27	Hours of Operation	P 6 a.m.--2 a.m. C 2
11			a.m.--6 a.m.
12	721.30	General Advertising Sign	
13			
14	721.31	Business Sign	
15			
16	721.32	Other Signs	
17			

18
19 TABLE INSET:

20			Upper Market Street			
21	No.	Zoning Category	Controls by Story			
22						
23			§ 790.118	1st	2nd	3rd+
24	721.38	Residential Conversion	§ 790.84	P	C	
25						

1	721.39	Residential Demolition	§ 790.86	P	C	C
2	Retail Sales and Services					
3		Other Retail Sales and				
4	721.40	Services <i>[Not Listed</i>	§ 790.102	P	P	
5		<i>Below]</i>				
6	721.41	Bar	§ 790.22	C		
7						
8	721.42	Full-Service Restaurant	§ 790.92	C		
9						
10	721.43	Large Fast Food	§ 790.90			
		Restaurant				
11	721.44	Small Self-Service	§ 790.91	C		
12		Restaurant				
13	721.45	Liquor Store	§ 790.55	C		
14	721.46	Movie Theater	§ 790.64	P		
15						
16	721.47	Adult Entertainment	§ 790.36			
17	721.48	Other Entertainment	§ 790.38	C#		
18	721.49	Financial Service	§ 790.110	C	C	
19						
20	721.50	Limited Financial	§ 790.112	P		
		Service				
21	721.51	Medical Service	§ 790.114	P	P	C
22	721.52	Personal Service	§ 790.116	P	P	C
23						
24	721.53	Business or Professional	§ 790.108	P	P	C

25

1		Service				
2	721.54	Massage Establishment	§ 790.60, § 1900	C	C	
3			Health Code			
4	721.55	Tourist Hotel	§ 790.46	C	C	C
5						
6	721.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
7						
8	721.57	Automotive Gas Station	§ 790.14			
9						
10	721.58	Automotive Service Station	§ 790.17			
11	721.59	Automotive Repair	§ 790.15	C		
12	721.60	Automotive Wash	§ 790.18			
13						
14	721.61	Automobile Sale or Rental	§ 790.12			
15	721.62	Animal Hospital	§ 790.6	C		
16	721.63	Ambulance Service	§ 790.2			
17	721.64	Mortuary	§ 790.62			
18						
19	721.65	Trade Shop	§ 790.124	P	C	
20	721.66	Storage	§ 790.117			
21	721.67	Video Store	§ 790.135	C	C	
22	721.68	Fringe Financial Service	§ 790.111			
23						
24						

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1	<u>721.69</u>		<u>§ 790.93</u>			
2		<u>Self-Service Specialty Food</u>		<u>C</u>		
3						
4						
5	Institutions and Non-Retail Sales and Services					
6						
7	721.70	Administrative Service	§ 790.106			
8	721.80	Hospital or Medical Center	§ 790.44			
9						
10	721.81	Other Institutions, Large	§ 790.50	P	C	C
11						
12	721.82	Other Institutions, Small	§ 790.51	P	P	P
13						
14	721.83	Public Use	§ 790.80	C	C	C
15						
16	721.84	Medical Cannabis Dispensary	§ 790.141	P		
17						
18	RESIDENTIAL STANDARDS AND USES					
19	721.90	Residential Use	§ 790.88	P	P	P
20	721.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4		
21						
22	721.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208		
23						
24						
25						

1 2 3	721.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 60 sq. ft. if private, or 80 sq. ft. if common 135(d)		
4 5 6	721.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
7 8	721.95	Community Residential Parking	§ 790.10	C	C	C

10 SPECIFIC PROVISIONS FOR UPPER MARKET STREET

11 NEIGHBORHOOD COMMERCIAL DISTRICT

12 TABLE INSET:

15 16 17	Article 7 Code Section	Other Code Section	Zoning Controls
18 19 20 21	§ 721.31 § 721.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT Boundaries: Applicable only for the portions of the Upper Market Street NCD as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs
22 23 24	§ 721.48		Boundaries: Applicable for the Upper Market Street NCD. Controls: Existing bars in the Upper Market Street

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		Neighborhood Commercial District will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; provided, however, that a conditional use is required (1) if an application for a conditional use for the entertainment use was filed with the Planning Department prior to the date this ordinance was introduced or (2) if a conditional use was denied within 12 months prior to the effective date of this ordinance.
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Section 32. The San Francisco Planning Code is hereby amended by amending Section 723.1, to read as follows:

SEC. 723.1. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Sitting in the gulch between Nob and Russian Hills and Pacific Heights, the Polk Street Neighborhood Commercial District extends for a mile as a north-south linear strip, and includes a portion of Larkin Street between Post and California Streets. Polk Street's dense mixed-use character consists of buildings with residential units above ground-story commercial use. The district has an active and continuous commercial frontage along Polk Street for almost all of its length. Larkin Street and side streets in the district have a greater

1 proportion of residences than Polk Street itself. The district provides convenience goods and
2 services to the residential communities in the Polk Gulch neighborhood and to the residents
3 on the west slopes of Nob and Russian Hills. It has many apparel and specialty stores, as well
4 as some automobile uses, which serve a broader trade area. Commercial uses also include
5 offices, as well as movie theaters, restaurants, and bars which keep the district active into the
6 evening.

7 The Polk Street District controls are designed to encourage and promote development
8 which is compatible with the surrounding neighborhood. The building standards monitor large-
9 scale development and protect rear yards at residential levels. Consistent with Polk Street's
10 existing mixed-use character, new buildings may contain most commercial uses at the first
11 two stories. The controls encourage neighborhood-serving businesses, but limit new eating,
12 drinking, other entertainment, and financial service uses, which can produce parking
13 congestion, noise and other nuisances or displace other types of local-serving convenience
14 goods and services. They also prohibit new adult entertainment uses. Restrictions on drive-up
15 and most automobile uses protect the district's continuous retail frontage and prevent further
16 traffic congestion.

17 Housing developed in new buildings is encouraged above the second story, especially
18 in the less intensely developed portions of the district along Larkin Street. Existing housing
19 units are protected by limitations on demolitions and upper-story conversions.
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21 SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT
22 ZONING CONTROL TABLE

23 TABLE INSET:
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			Polk Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
723.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	65-A, 80-A, 130-E See Zoning Map
723.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000 sq. ft. & above § 121.1
723.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a) (e)
723.13	Street Frontage		Required § 145.1
723.14	Awning	§ 790.20	P § 136.1(a)
723.15	Canopy	§ 790.26	P § 136.1(b)
723.16	Marquee	§ 790.58	P § 136.1(c)
723.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
723.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
723.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 1,999 sq. ft.; C 2,000 sq. ft. & above §

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			121.2
723.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
723.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
723.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
723.25	Drive-Up Facility	§ 790.30	
723.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
723.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.
723.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
723.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2

1 2	723.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
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3 TABLE INSET:
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5 6 7	No.	Zoning Category	§ References	Polk Street		
				Controls by Story		
8			§ 790.118	1st	2nd	3rd+
9	723.38	Residential Conversion	§ 790.84	P	C	
10	723.39	Residential Demolition	§ 790.86	P	C	C
11	Retail Sales and Services					
12	723.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
13	723.41	Bar	§ 790.22	C		
14	723.42	Full-Service Restaurant	§ 790.92	C		
15	723.43	Large Fast Food Restaurant	§ 790.90			
16	723.44	Small Self-Service Restaurant	§ 790.91	C		
17	723.45	Liquor Store	§ 790.55	C		
18	723.46	Movie Theater	§ 790.64	P		

1	723.47	Adult Entertainment	§ 790.36			
2	723.48	Other Entertainment	§ 790.38	C		
3	723.49	Financial Service	§ 790.110	C	C	
4		Limited Financial				
5	723.50	Service	§ 790.112	P		
6						
7	723.51	Medical Service	§ 790.114	P	P	
8	723.52	Personal Service	§ 790.116	P	P	
9		Business or Professional				
10	723.53	Service	§ 790.108	P	P	
11		Massage Establishment				
12	723.54		§ 790.60, § 1900 Health Code	C		
13	723.55	Tourist Hotel	§ 790.46	C	C	C
14						
15	723.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
16						
17	723.57	Automotive Gas Station	§ 790.14			
18						
19	723.58	Automotive Service Station	§ 790.17			
20						
21	723.59	Automotive Repair	§ 790.15	C		
22	723.60	Automotive Wash	§ 790.18			
23						
24	723.61	Automobile Sale or Rental	§ 790.12			
25						

1	723.62	Animal Hospital	§ 790.6	C		
2	723.63	Ambulance Service	§ 790.2			
3	723.64	Mortuary	§ 790.62			
4	723.65	Trade Shop	§ 790.124	P	C	
5	723.66	Storage	§ 790.117			
6	723.67	Video Store	§ 790.135	C	C	
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10	723.68	Fringe Financial Service	§ 790.111	#		
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12						
13	<u>723.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>	<u>C</u>		
14						
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16	Institutions and Non-Retail Sales and Services					
17	723.70	Administrative Service	§ 790.106			
18						
19	723.80	Hospital or Medical Center	§ 790.44			
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21	723.81	Other Institutions, Large	§ 790.50	P	C	C
22						
23	723.82	Other Institutions, Small	§ 790.51	P	P	P
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1	723.83	Public Use	§ 790.80	C	C	C
2	723.84	Medical Cannabis	§ 790.141	P		
3		Dispensary				
4	RESIDENTIAL STANDARDS AND USES					
5	723.90	Residential Use	§ 790.88	P	P	P
6	723.91	Residential Density,	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 400 sq. ft. lot area § 207.4		
7		Dwelling Units				
8	723.92	Residential Density,	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 140 sq. ft. lot area § 208		
9		Group Housing				
10	723.93	Usable Open Space	§§ 135, 136	Generally, either 60 sq. ft. if private, or 80 sq. ft. if common § 135(d)		
11		<i>[Per Residential Unit]</i>				
12	723.94	Off-Street Parking,	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
13		Residential				
14	723.95	Community Residential	§ 790.10	C	C	C
15		Parking				

20 SPECIFIC PROVISIONS FOR THE POLK STREET DISTRICT

21 TABLE INSET:

22	23	24	25
Article 7	Other Code	Zoning Controls	

1	Code	Section	
2	Section		
3			FRINGE FINANCIAL SERVICE RESTRICTED USE
4			DISTRICT (FFSRUD) Boundaries: The FFSRUD and its
5			1/4 mile buffer includes, but is not limited to, properties
6			within the North of Market Residential Special Use District;
7			and includes some properties within the Polk Street
8	723.68	§249.35	Neighborhood Commercial District. Controls: Within the
9			FFSRUD and its 1/4 mile buffer, fringe financial services
10			are NP pursuant to Section 249.35. Outside the FFSRUD
11			and its 1/4 mile buffer, fringe financial services are P
12			subject to the restrictions set forth in Subsection
13			249.35(c)(3).

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Section 33. The San Francisco Planning Code is hereby amended by amending Section 724.1, to read as follows:

SEC. 724.1. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

Located in the Presidio Heights neighborhood in north-central San Francisco, the Sacramento Street Neighborhood Commercial District functions as a small-scale linear shopping area. It extends along Sacramento Street between Lyon and Spruce. Interspersed among residential buildings and garages, the district's daytime-oriented retail stores provide a limited array of convenience goods to the immediate neighborhood. Sacramento Street also has many elegant clothing, accessory, and antique stores and services, such as hair salons,

1 which attract customers from a wider trade area. Its numerous medical and business offices
2 draw clients from throughout the City. Evening activity in the district is limited to one movie
3 theater, a few restaurants, and some stores near Presidio Avenue.

4 The Sacramento Street District controls are designed to promote adequate growth
5 opportunities for development that is compatible with the surrounding low-density residential
6 neighborhood. The building standards monitor large-scale development and protect rear yards
7 at the grade level and above. Most new commercial development is permitted at the first
8 story; general retail uses are permitted at the second story only if such use would not involve
9 conversion of any existing housing units. Special controls are designed to protect existing
10 neighborhood-serving ground-story retail uses. New medical service offices are prohibited at
11 all stories. Personal and business services are restricted at the ground story and prohibited on
12 upper stories. Limits on new ground-story eating and drinking uses, as well as new
13 entertainment and financial service uses, are intended to minimize the environmental impacts
14 generated by the growth of such uses. The daytime orientation of the district is encouraged by
15 prohibiting bars and restricting late-night commercial activity. New hotels and parking facilities
16 are limited in scale and operation to minimize disruption to the neighborhood. Most new
17 automobile and drive-up uses are prohibited to promote continuous retail frontage.

18 Housing development in new buildings is encouraged above the second story. Existing
19 residential units are protected by limitations on demolitions and prohibitions of upper-story
20 conversions.

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22 **SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

23
24 **ZONING CONTROL TABLE**

1 TABLE INSET:

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			Sacramento Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
724.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
724.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
724.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
724.13	Street Frontage		Required § 145.1
724.14	Awning	§ 790.20	P § 136.1(a)
724.15	Canopy	§ 790.26	P § 136.1(b)
724.16	Marquee	§ 790.58	P § 136.1(c)
724.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
724.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
724.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C

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			2,500 sq. ft. & above § 121.2
724.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
724.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
724.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
724.25	Drive-Up Facility	§ 790.30	
724.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
724.27	Hours of Operation	§ 790.48	P 6 a.m.--12 a.m.; C 12 a.m.--6 a.m.
724.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
724.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f) 2

1 2	724.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
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3 TABLE INSET:
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5 6 7	No.	Zoning Category	§ References	Sacramento Street		
				Controls by Story		
8			§ 790.118	1st	2nd	3rd+
9	724.38	Residential Conversion	§ 790.84	P		
10	724.39	Residential Demolition	§ 790.86	P	C	C
11	Retail Sales and Services					
12	724.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	C	
13	724.41	Bar	§ 790.22			
14	724.42	Full-Service Restaurant	§ 790.92	C		
15	724.43	Large Fast Food Restaurant	§ 790.90			
16	724.44	Small Self-Service Restaurant	§ 790.91	C		
17	724.45	Liquor Store	§ 790.55	P		

1	724.46	Movie Theater	§ 790.64	P		
2	724.47	Adult Entertainment	§ 790.36			
3	724.48	Other Entertainment	§ 790.38	C		
4	724.49	Financial Service	§ 790.110	C		
5	724.50	Limited Financial Service	§ 790.112	C		
6	724.51	Medical Service	§ 790.114			
7	724.52	Personal Service	§ 790.116	C		
8	724.53	Business or Professional Service	§ 790.108	C		
9	724.54	Massage Establishment	§ 790.60, § 1900 Health Code			
10	724.55	Tourist Hotel	§ 790.46	C	C	
11	724.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
12	724.57	Automotive Gas Station	§ 790.14			
13	724.58	Automotive Service Station	§ 790.17			
14	724.59	Automotive Repair	§ 790.15			
15	724.60	Automotive Wash	§ 790.18			

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1	724.61	Automobile Sale or	§ 790.12			
2		Rental				
3	724.62	Animal Hospital	§ 790.6	C		
4	724.63	Ambulance Service	§ 790.2			
5	724.64	Mortuary	§ 790.62			
6	724.65	Trade Shop	§ 790.124	P	C	
7	724.66	Storage	§ 790.117			
8	724.67	Video Store	§ 790.135	C	C	
9						
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11						
12	724.68	Fringe Financial Service	§ 790.111			
13						
14						
15	<u>724.69</u>		<u>§ 790.93</u>	<u>C</u>		
16		<i>Self-Service Specialty Food</i>				
17						
18	Institutions and Non-Retail Sales and Services					
19	724.70	Administrative Service	§ 790.106			
20						
21	724.80	Hospital or Medical	§ 790.44			
22		Center				
23	724.81	Other Institutions, Large	§ 790.50	P	C	C
24						

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1	724.82	Other Institutions, Small	§ 790.51	P	P	P
2						
3	724.83	Public Use	§ 790.80	C	C	C
4						
5	724.84	Medical Cannabis Dispensary	§ 790.141	P		
6	RESIDENTIAL STANDARDS AND USES					
7						
8	724.90	Residential Use	§ 790.88	P	P	P
9						
10	724.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
11						
12	724.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
13						
14	724.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft if private, or 133 sq. ft. if common § 135(d)		
15						
16						
17	724.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
18						
19						
20	724.95	Community Residential Parking	§ 790.10	C	C	C
21						

22 TABLE INSET:

23			
24	Article 7	Other Code	Zoning Controls
25			

1	Code	Section	
2	Section		
3			Boundaries: Sacramento Street Neighborhood Commercial
4			District Controls: A residential use may be converted to an
5			Other Institution, Large, Educational Service use as defined
6	724.38	790.84	by Section 790.50 as a conditional use, if, in addition to the
7			criteria set forth in Section 303, the Planning Commission
8			finds that:
9			1) The residential use is comprised of a single dwelling unit
10			in a building that is otherwise used for non-residential uses;
11			and
12			2) No legally residing residential tenant will be displaced.

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Section 34. The San Francisco Planning Code is hereby amended by amending Section 725.1, to read as follows:

SEC. 725.1. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Union Street Commercial District is located in northern San Francisco between the Marina and Pacific Heights neighborhoods. The district lies along Union Street between Van Ness Avenue and Steiner, including an arm extending north on Fillmore Street to Lombard. The shopping area provides limited convenience goods for the residents of sections of the Cow Hollow, Golden Gate Valley, and Pacific Heights neighborhoods immediately surrounding the street. Important aspects of Union Street's business activity are eating and drinking establishments and specialty shops whose clientele comes from a wide trade area.

1 There are also a significant number of professional, realty, and business offices. Many
2 restaurants and bars as well as the district's two movie theaters are open into the evening
3 hours, and on weekends the street's clothing, antique stores and galleries do a vigorous
4 business.

5 The Union Street District controls are designed to provide sufficient growth
6 opportunities for commercial development that is in keeping with the existing scale and
7 character, promote continuous retail frontage, and protect adjacent residential livability. Small-
8 scale buildings and neighborhood-serving uses are promoted, and rear yards above the
9 ground story and at all residential levels are protected. Most commercial development is
10 permitted at the first two stories of new buildings, while retail service uses are monitored at
11 the third story and above. Controls are necessary to preserve the remaining convenience
12 businesses and to reduce the cumulative impacts which the growth of certain uses have on
13 neighborhood residents. Such controls prohibit additional eating and drinking establishments
14 and limit entertainment and financial service uses. Most automobile and drive-up uses are
15 prohibited in order to maintain continuous retail frontage and minimize further traffic
16 congestion.

17 Housing development in new buildings is encouraged above the second story. Existing
18 residential units are protected by limitations on demolitions and upper-story conversions.
19

20 SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT
21 ZONING CONTROL TABLE

22 TABLE INSET:
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			Union Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
725.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
725.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
725.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
725.13	Street Frontage		Required § 145.1
725.14	Awning	§ 790.20	P § 136.1(a)
725.15	Canopy	§ 790.26	P § 136.1(b)
725.16	Marquee	§ 790.58	P § 136.1(c)
725.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
725.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
725.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C

1			2,500 sq. ft. & above §
2			121.2
3	725.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5
4			Generally, none required
5			if occupied floor area is
6			less than 5,000 sq. ft. §§
7			151, 161(g)
8	725.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5
9			Generally, none required
10			if gross floor area is less
11			than 10,000 sq. ft. §§
12			152, 161(b)
13	725.24	Outdoor Activity Area	§ 790.70
14			P if located in front; C if
15			located elsewhere §
16			145.2(a)
17	725.25	Drive-Up Facility	§ 790.30
18			
19	725.26	Walk-Up Facility	§ 790.140
20			P if recessed 3 ft.; C if
21			not recessed § 145.2(b)
22			
23	725.27	Hours of Operation	§ 790.48
24			P 6 a.m.--2 a.m. C 2
25			a.m.--6 a.m.
	725.30	General Advertising Sign	§§ 262, 602--604, 608, 609
	725.31	Business Sign	§§ 262, 602--604, 608, 609
			P § 607.1(f) 2

1 2	725.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
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3 TABLE INSET:
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5 6 7	No.	Zoning Category	§ References	Union Street		
				Controls by Story		
8			§ 790.118	1st	2nd	3rd+
9	725.38	Residential Conversion	§ 790.84	P	C	C
10	725.39	Residential Demolition	§ 790.86	P	C	C
11	Retail Sales and Services					
12	725.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	P	
13	725.41	Bar	§ 790.22			
14	725.42	Full-Service Restaurant	§ 790.92			
15	725.43	Large Fast Food Restaurant	§ 790.90			
16	725.44	Small Self-Service Restaurant	§ 790.91			
17	725.45	Liquor Store	§ 790.55	C		
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1	725.46	Movie Theater	§ 790.64	P		
2	725.47	Adult Entertainment	§ 790.36			
3	725.48	Other Entertainment	§ 790.38	C		
4	725.49	Financial Service	§ 790.110	C	C	
5	725.50	Limited Financial Service	§ 790.112	P		
6	725.51	Medical Service	§ 790.114	P	P	C
7	725.52	Personal Service	§ 790.116	P	P	C
8	725.53	Business or Professional Service	§ 790.108	P	P	C
9	725.54	Massage Establishment	§ 790.60, § 1900 Health Code			
10	725.55	Tourist Hotel	§ 790.46	C	C	C
11	725.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
12	725.57	Automotive Gas Station	§ 790.14			
13	725.58	Automotive Service Station	§ 790.17			
14	725.59	Automotive Repair	§ 790.15			
15	725.60	Automotive Wash	§ 790.18			

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1	725.61	Automobile Sale or Rental	§ 790.12			
2						
3	725.62	Animal Hospital	§ 790.6	C		
4	725.63	Ambulance Service	§ 790.2			
5	725.64	Mortuary	§ 790.62			
6	725.65	Trade Shop	§ 790.124	P	C	
7	725.66	Storage	§ 790.117			
8	725.67	Video Store	§ 790.135	C	C	
9						
10	725.68	Fringe Financial Service	§ 790.111	#	#	#
11						
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14						
15	<u>725.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>			
16						
17						
18	Institutions and Non-Retail Sales and Services					
19	725.70	Administrative Service	§ 790.106			
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21	725.80	Hospital or Medical Center	§ 790.44			
22						
23	725.81	Other Institutions, Large	§ 790.50	P	C	C
24						

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1	725.82	Other Institutions, Small	§ 790.51	P	P	P
2						
3	725.83	Public Use	§ 790.80	C	C	C
4						
5	725.84	Medical Cannabis Dispensary	§ 790.141	P		
6	RESIDENTIAL STANDARDS AND USES					
7						
8	725.90	Residential Use	§ 790.88	P	P	P
9						
10	725.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
11						
12	725.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
13						
14	725.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)		
15						
16						
17	725.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
18						
19						
20	725.95	Community Residential Parking	§ 790.10	C	C	C
21						

22
23 Section 35. The San Francisco Planning Code is hereby amended by amending
24 Section 726.1, to read as follows:
25

1 **SEC. 726.1. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 The Valencia Street Commercial District is located near the center of San Francisco in
3 the Mission District. It lies along Valencia Street between 14th and Army Street, and includes
4 a portion of 16th Street extending west towards Dolores Street. The commercial area provides
5 a limited selection of convenience goods for the residents of sections of the Mission and
6 Dolores Heights. Valencia Street also serves a wider trade area with its retail and wholesale
7 home furnishings and appliance outlets. The commercial district also has several automobile-
8 related businesses and large light manufacturing operations. Eating and drinking
9 establishments contribute to the street's mixed-use character and activity in the evening
10 hours. A number of upper-story professional and business offices are located in the district,
11 some in converted residential units.

12 The Valencia Street District has a pattern of large lots and businesses, as well as a
13 sizable number of upper-story residential units. Controls are designed to permit moderate-
14 scale buildings and uses, protecting rear yards above the ground story and at residential
15 levels. New neighborhood-serving commercial development is encouraged mainly at the
16 ground story. While offices and general retail sales uses may locate at the second story of
17 new buildings under certain circumstances, most commercial uses are prohibited above the
18 second story. In order to protect the balance and variety of retail uses and the livability of
19 adjacent uses and areas, most eating and drinking and entertainment uses at the ground
20 story are limited. Continuous retail frontage is promoted by prohibiting drive-up facilities, some
21 automobile uses, and new nonretail commercial uses.

22 Housing development in new buildings is encouraged above the ground story. Existing
23 residential units are protected by prohibitions on upper-story conversions and limitations on
24 demolitions.
25

1 SEC. 726. VALENCIA STREET NEIGHBORHOOD COMMERCIAL DISTRICT

2
3 ZONING CONTROL TABLE

4 TABLE INSET:

5

			Valencia Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
726.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X, 50-X See Zoning Map
726.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000 sq. ft. & above § 121.1
726.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
726.13	Street Frontage		Required § 145.1
726.14	Awning	§ 790.20	P§ 136.1(a)
726.15	Canopy	§ 790.26	P § 136.1(b)
726.16	Marquee	§ 790.58	P § 136.1(c)

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1	726.17	Street Trees		Required § 143
2	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
3				
4	726.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
5				
6	726.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,999 sq. ft.; C 3,000 sq. ft. & above § 121.2
7				
8				
9				
10	726.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
11				
12				
13				
14	726.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
15				
16				
17				
18	726.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
19				
20	726.25	Drive-Up Facility	§ 790.30	
21				
22	726.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
23				
24				
25				

1	726.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.
2				
3	726.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
4				
5	726.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f) 2
6				
7	726.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)
8				
9				

10 TABLE INSET:

12 No.	13 Zoning Category	14 § References	15 Valencia Street		
			16 Controls by Story		
		17 § 790.118	1st	2nd	3rd+
18 726.38	19 Residential Conversion	20 § 790.84	P		
21 726.39	22 Residential Demolition	23 § 790.86	P	C	C
24 Retail Sales and Services					
25 726.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	C	
726.41	Bar	§ 790.22	C		
726.42	Full-Service Restaurant	§ 790.92	P		

1	726.43	Large Fast Food Restaurant	§ 790.90	C		
2						
3	726.44	Small Self-Service Restaurant	§ 790.91	P		
4						
5	726.45	Liquor Store	§ 790.55			
6						
7	726.46	Movie Theater	§ 790.64	P		
8						
9	726.47	Adult Entertainment	§ 790.36			
10	726.48	Other Entertainment	§ 790.38	C		
11						
12	726.49	Financial Service	§ 790.110	P		
13	726.50	Limited Financial Service	§ 790.112	P		
14	726.51	Medical Service	§ 790.114	P	C	
15	726.52	Personal Service	§ 790.116	P	C	
16	726.53	Business or Professional Service	§ 790.108	P	C	
17						
18	726.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
19						
20	726.55	Tourist Hotel	§ 790.46	C	C	
21	726.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
22						
23	726.57	Automotive Gas Station	§ 790.14			
24						
25						

1	726.58	Automotive Service Station	§ 790.17			
2						
3	726.59	Automotive Repair	§ 790.15	C		
4	726.60	Automotive Wash	§ 790.18			
5						
6	726.61	Automobile Sale or Rental	§ 790.12			
7						
8	726.62	Animal Hospital	§ 790.6	C		
9	726.63	Ambulance Service	§ 790.2			
10	726.64	Mortuary	§ 790.62	C	C	
11	726.65	Trade Shop	§ 790.124	P	C	
12	726.66	Storage	§ 790.117			
13	726.67	Video Store	§ 790.135	C	C	
14						
15						
16	726.68	Fringe Financial Service	§ 790.111	#	#	#
17						
18						
19	<u>726.69</u>		<u>§ 790.93</u>	<u>P</u>		
20		<i>Self-Service Specialty Food</i>				
21						
22	Institutions and Non-Retail Sales and Services					
23						
24	726.70	Administrative Service	§ 790.106			
25						

1	726.80	Hospital or Medical Center	§ 790.44			
2						
3	726.81	Other Institutions, Large	§ 790.50	P	C	C
4						
5	726.82	Other Institutions, Small	§ 790.51	P	P	P
6						
7	726.83	Public Use	§ 790.80	C	C	C
8						
9	726.84	Medical Cannabis Dispensary	§ 790.141	P		
10						
11	RESIDENTIAL STANDARDS AND USES					
12	726.90	Residential Use	§ 790.88	P	P	P
13	726.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
14						
15	726.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
16						
17	726.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)		
18						
19	726.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
20						
21	726.95	Community Residential	§ 790.10	C	C	C
22						
23						
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	Parking				
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SPECIFIC PROVISIONS FOR THE VALENCIA STREET DISTRICT

TABLE INSET:

Article 7 Code Section	Other Code Section	Zoning Controls
§ 726.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Valencia 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 Subsection 249.35(c)(3).

Section 36. The San Francisco Planning Code is hereby amended by amending Section 727.1, to read as follows:

SEC. 727.1. 24TH STREET -- MISSION NEIGHBORHOOD COMMERCIAL DISTRICT.

The 24th Street -- Mission Neighborhood Commercial District is situated in the Inner Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-

1 use district provides convenience goods to its immediate neighborhood as well as comparison
2 shopping goods and services to a wider trade area. The street has a great number of Latin
3 American restaurants, grocery stores, and bakeries as well as other gift and secondhand
4 stores. Most commercial businesses are open during the day while the district's bars,
5 restaurants, and movie theater are also active in the evening. Dwelling units are frequently
6 located above the ground-story commercial uses.

7 The 24th Street -- Mission District controls are designed to provide potential for new
8 development consistent with the existing scale and character. Small-scale buildings and
9 neighborhood-serving uses are encouraged, and rear yard corridors above the ground story
10 and at residential levels are protected. Most commercial uses are encouraged at the ground
11 story, while service uses are permitted with some limitations at the second story. Special
12 controls are necessary to preserve the unique mix of convenience and specialty commercial
13 uses. In order to maintain convenience stores and protect adjacent livability, new bars and
14 fast-food restaurants are prohibited, and limitations apply to the development and operation of
15 ground-story full-service restaurants, take-out food and entertainment uses. Continuous retail
16 frontage is maintained and encouraged by prohibiting most automobile and drive-up uses.

17 Housing development in new buildings is encouraged above the ground story. Existing
18 housing units are protected by prohibitions on upper-story conversions and limitations on
19 demolitions.

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21 SEC. 727. 24TH STREET -- MISSION NEIGHBORHOOD COMMERCIAL DISTRICT
22 ZONING CONTROL TABLE

23 TABLE INSET:
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			24th Street -- Mission
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
727.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X, 50-X, 105-E See Zoning Map
727.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
727.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
727.13	Street Frontage		Required § 145.1
727.14	Awning	§ 790.20	P § 136.1(a)
727.15	Canopy	§ 790.26	P § 136.1(b)
727.16	Marquee	§ 790.58	P § 136.1(c)
727.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
727.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)

1				P up to 2,499 sq. ft.; C
2	727.21	Use Size <i>[Non-Residential]</i>	§ 790.130	2,500 sq. ft. & above §
3				121.2
4				Generally, none required
5	727.22	Off-Street Parking,	§§ 150, 153--157,	if occupied floor area is
6		Commercial/Institutional	159--160, 204.5	less than 5,000 sq. ft. §§
7				151, 161(g)
8				Generally, none required
9				if gross floor area is less
10	727.23	Off-Street Freight Loading	§§ 150, 153-155,	than 10,000 sq. ft. §§
11			204.5	152, 161(b)
12				
13	727.24	Outdoor Activity Area	§ 790.70	P if located in front; C if
14				located elsewhere §
15				145.2(a)
16	727.25	Drive-Up Facility	§ 790.30	
17				
18	727.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if
19				not recessed § 145.2 (b)
20				
21	727.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2
22				a.m.--6 a.m.
23	727.30	General Advertising Sign	§§ 262, 602--604,	
24			608, 609	
25	727.31	Business Sign	§§ 262, 602--604,	P § 607.1(f)2

		608, 609	
727.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	24th Street-- Mission		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
727.38	Residential Conversion	§ 790.84	P		
727.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
727.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P		
727.41	Bar	§ 790.22			
727.42	Full-Service Restaurant	§ 790.92	C		
727.43	Large Fast Food Restaurant	§ 790.90			
727.44	Small Self-Service Restaurant	§ 790.91	C		

1	727.45	Liquor Store	§ 790.55			
2	727.46	Movie Theater	§ 790.64	P		
3	727.47	Adult Entertainment	§ 790.36			
4	727.48	Other Entertainment	§ 790.38	C		
5	727.49	Financial Service	§ 790.110	P		
7	727.50	Limited Financial Service	§ 790.112	P		
9	727.51	Medical Service	§ 790.114	P	C	
10	727.52	Personal Service	§ 790.116	P	C	
11	727.53	Business or Professional Service	§ 790.108	P	C	
13	727.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
16	727.55	Tourist Hotel	§ 790.46	C	C	
17	727.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
19	727.57	Automotive Gas Station	§ 790.14			
21	727.58	Automotive Service Station	§ 790.17			
23	727.59	Automotive Repair	§ 790.15	C		

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1	727.60	Automotive Wash	§ 790.18			
2	727.61	Automobile Sale or	§ 790.12			
3		Rental				
4	727.62	Animal Hospital	§ 790.6	C		
5	727.63	Ambulance Service	§ 790.2			
6	727.64	Mortuary	§ 790.62			
7	727.65	Trade Shop	§ 790.124	P		
8	727.66	Storage	§ 790.117			
9	727.67	Video Store	§ 790.135	C		
10	727.68	Fringe Financial Service	§ 790.111	#	#	#
11						
12	<u>727.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>	<u>C</u>		
13						
14	Institutions and Non-Retail Sales and Services					
15	727.70	Administrative Service	§ 790.106			
16	727.80	Hospital or Medical	§ 790.44			
17		Center				
18	727.81	Other Institutions, Large	§ 790.50	P	C	C

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1					
2	727.82	Other Institutions, Small	§ 790.51	P	P
3					P
4	727.83	Public Use	§ 790.80	C	C
5					C
6	727.84	Medical Cannabis Dispensary	§ 790.141	P	
7					
8	RESIDENTIAL STANDARDS AND USES				
9	727.90	Residential Use	§ 790.88	P	P
10					P
11	727.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4	
12	727.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208	
13					
14	727.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)	
15					
16	727.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)	
17					
18	727.95	Community Residential Parking	§ 790.10	C	C
19					C
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22					

23 SPECIFIC PROVISIONS FOR THE 24TH STREET-MISSION DISTRICT

1 TABLE INSET:

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Article 7 Code Section	Other Code Section	Zoning Controls
§ 727.68	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the 24th Street-Mission 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 Subsection 249.35(c)(3).

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Section 37. The San Francisco Planning Code is hereby amended by amending Section 728.1, to read as follows:

SEC. 728.1. 24TH STREET -- NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

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The 24th Street -- Noe Valley Neighborhood Commercial District is situated along 24th Street between Chattanooga and Diamond in the Noe Valley neighborhood of central San Francisco. This daytime-oriented, multi-purpose commercial district provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. It contains primarily retail sales and personal services at the street level, some office

1 uses on the second story, and residential use almost exclusively on the third and upper
2 stories.

3 The 24th Street -- Noe Valley District controls are designed to allow for development
4 that is compatible with the existing small-scale, mixed-use neighborhood commercial
5 character and surrounding residential area. The small scale of new buildings and
6 neighborhood-serving uses is encouraged and rear yard open space corridors at all levels are
7 protected. Most commercial uses are directed to the ground story and limited at the second
8 story of new buildings. In order to maintain the variety and mix of retail sales and services
9 along the commercial strip and to control the problems of traffic, congestion, noise and late-
10 night activity, certain potentially troublesome commercial uses are regulated. Additional eating
11 and drinking establishments are prohibited, and ground-story entertainment and financial
12 service uses are restricted to and at the ground story. Prohibitions on drive-up and most
13 automobile uses help prevent additional traffic and parking congestion.
14

15
16 Housing development in new buildings is encouraged above the ground story. Existing
17 housing units are protected by prohibitions on upper-story conversions and limitations on
18 demolitions.

19 SEC. 728. 24TH STREET -- NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT

20 ZONING CONTROL TABLE

21 TABLE INSET:

			24th Street -- Noe Valley
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			

1	728.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
2				
3	728.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
4				
5	728.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
6	728.13	Street Frontage		Required § 145.1
7	728.14	Awning	§ 790.20	P § 136.1(a)
8	728.15	Canopy	§ 790.26	P § 136.1(b)
9	728.16	Marquee	§ 790.58	P § 136.1(c)
10	728.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES				
11	728.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
12	728.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
13				
14	728.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153--157, 159--160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
15				
16	728.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
17				
18	728.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
19	728.25	Drive-Up Facility	§ 790.30	
20				
21	728.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
22				
23	728.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2 a.m.--6 a.m.
24	728.30	General Advertising Sign	§§ 262, 602--604,	
25				

		608, 609	
728.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2
728.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	24th Street-- Noe Valley		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
728.38	Residential Conversion	§ 790.84	P		
728.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
728.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P#	C#	
728.41	Bar	§ 790.22	C#		
728.42	Full-Service Restaurant	§ 790.92	C#		
728.43	Large Fast Food Restaurant	§ 790.90			
728.44	Small Self-Service Restaurant	§ 790.91			

1	728.45	Liquor Store	§ 790.55	C		
2	728.46	Movie Theater	§ 790.64	P		
3	728.47	Adult Entertainment	§ 790.36			
4	728.48	Other Entertainment	§ 790.38	C		
5	728.49	Financial Service	§ 790.110	C		
6	728.50	Limited Financial Service	§ 790.112	C		
7	728.51	Medical Service	§ 790.114	P	C	
8	728.52	Personal Service	§ 790.116	P	C	
9	728.53	Business or Professional Service	§ 790.108	P	C	
10	728.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
11	728.55	Tourist Hotel	§ 790.46	C	C	
12	728.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
13	728.57	Automotive Gas Station	§ 790.14			
14	728.58	Automotive Service Station	§ 790.17			
15	728.59	Automotive Repair	§ 790.15			

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1	728.60	Automotive Wash	§ 790.18			
2	728.61	Automobile Sale or	§ 790.12			
3		Rental				
4	728.62	Animal Hospital	§ 790.6	C		
5	728.63	Ambulance Service	§ 790.2			
6	728.64	Mortuary	§ 790.62			
7	728.65	Trade Shop	§ 790.124	P	C	
8	728.66	Storage	§ 790.117			
9	728.67	Video Store	§ 790.135	C	C	
10	728.68	Fringe Financial Service	§ 790.111	#	#	#
11						
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15						
16	<u>728.69</u>		<u>§ 790.93</u>			
17		<u>Self-Service Specialty Food</u>				
18						
19	Institutions and Non-Retail Sales and Services					
20	728.70	Administrative Service	§ 790.106			
21	728.80	Hospital or Medical	§ 790.44			
22		Center				
23	728.81	Other Institutions, Large	§ 790.50	P	C	C

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1					
2	728.82	Other Institutions, Small	§ 790.51	P	P
3					P
4	728.83	Public Use	§ 790.80	C	C
5					C
6	728.84	Medical Cannabis Dispensary	§ 790.141	P	
7					
8	RESIDENTIAL STANDARDS AND USES				
9	728.90	Residential Use	§ 790.88	P	P
10					P
11	728.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4	
12	728.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208	
13					
14	728.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)	
15					
16	728.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)	
17					
18	728.95	Community Residential Parking	§ 790.10	C	C
19					C
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SPECIFIC PROVISIONS FOR THE 24TH STREET--NOE VALLEY
NEIGHBORHOOD COMMERCIAL DISTRICT

1 TABLE INSET:

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Article 7 Code Section	Other Code Section	Zoning Controls
§ 728.40	§ 790.102(b) and (n) § 703.2(b)(1)(C)	24TH STREET -- NOE VALLEY SPECIALTY RETAIL USES Boundaries: Only the area within the 24th Street -- Noe Valley Neighborhood Commercial District. The controls shall not apply to NC-1 Districts or nonconforming uses within 1/4 mile of this District asset forth in Code §§ 710.10 and 186. Controls: Retail coffee stores, as defined in Code § 790.102(n), are prohibited. Retail coffee stores and specialty groceries, defined in Code § 790.102(b), are prohibited from establishing accessory take-out food service use pursuant to Code § 703.2(b)(1)(C).
§ 728.41	§ 790.22	24th STREET--NOE VALLEY LIQUOR LICENSES FOR FULL-SERVICE RESTAURANTS Boundaries: Applicable to the 24th Street - Noe Valley Neighborhood Commercial District Controls: (a) In order to allow certain restaurants to seek an ABC license type 47 so that liquor may be served for drinking on the premises, a bar use, as defined in § 790.22, may be permitted as a

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		<p>conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The bar function is operated as an integral element of an establishment which is classified both as: (A) a full-service restaurant as defined in § 790.92 and (B) a bona-fide restaurant as defined in § 781.8(c); and</p> <p>(2) The establishment maintains only an ABC license type 47. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to § 790.92, are not permitted for those uses subject to this Section.</p> <p>(b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
<p>§ 728.42</p>	<p>§ 790.92</p>	<p>24th STREET - NOE VALLEY FULL-SERVICE RESTAURANTS</p> <p>Boundaries: Applicable to the 24th Street - Noe Valley Neighborhood Commercial District</p> <p>Controls: (a) A full-service restaurant may be</p>

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		<p>permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The full-service restaurant does not occupy space that has been occupied by a basic neighborhood service since the effective date of this Section. For the purposes of this Section, a 'basic neighborhood service' shall be considered to include, but not necessarily be limited to, the following: hardware stores, shoe repair facilities, bookstores, and grocery stores that sell a wide variety of staple goods and collect less than 50% of gross receipts from the sale of alcoholic beverages;</p> <p>(2) Should the full-service restaurant seek the use of public sidewalk space through the Department of Public Works or another City agency, such use is conducted in a manner consistent with: (A) nearby commercial and residential uses and structures, and (B) the width of the sidewalk along the subject property and adjacent properties. New, expanded, or intensified use of public sidewalk space for a full-service restaurant authorized under this Section shall require a new conditional use authorization pursuant to Section 303;</p>
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		<p>(3) The Planning Commission has approved no more than a total of three (3) full-service restaurants in accordance with this Section. Should a full-service restaurant permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new full-service restaurant in accordance with the terms of this Section; and</p> <p>(4) No more than 60 months have elapsed from the effective date of this Section.</p>
§ 728.68	§ 249.35	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its 1/4 mile buffer includes portions of, but is not limited to, the 24th Street-Noe Valley 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 Subsection 249.35(c)(3).</p>

Section 38. The San Francisco Planning Code is hereby amended by amending Section 729.1, to read as follows:

1 **SEC. 729.1. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL**
2 **DISTRICT.**

3 Located in the southwestern part of the City, the West Portal Avenue Neighborhood
4 Commercial District stretches for three long blocks along West Portal Avenue from Ulloa
5 Street to 15th Avenue and extends one block east along Ulloa Street from the Twin Peaks
6 Tunnel entrance to Claremont Boulevard. West Portal Avenue provides a selection of goods
7 and services for customers coming mainly from the surrounding west of Twin Peaks and
8 Sunset single-family residential neighborhoods. The lively, small-scale retail frontage is
9 interrupted at several locations by large-scale financial institutions which take up a large
10 amount of commercial ground-story frontage. More than half of the number of medical,
11 professional and business offices are located at the ground level. Except for one three-movie
12 theater complex, West Portal offers no entertainment uses and its restaurants are mainly
13 family-oriented.

14 The West Portal Avenue District controls are designed to preserve the existing family-
15 oriented, village character of West Portal Avenue. The building standards limit building heights
16 to 26 feet and two stories and maintain the existing pattern of rear yards at the ground level
17 and above. The height, bulk and design of new development, especially on large lots, should
18 respect the small-scale character of the district and its surrounding residential neighborhoods.
19 Lot mergers creating large lots are discouraged. Individual nonresidential uses require
20 conditional use permits above 2,500 square feet and are restricted to 4,000 square feet as an
21 absolute limit to conform with the existing small use sizes in the district.

22 Special controls on commercial uses are designed to protect the existing mix of
23 ground-story retail uses and prevent further intensification and congestion in the district. No
24 new financial services are permitted. Because the district and surrounding neighborhoods are
25

1 BUILDING STANDARDS			
2			
3	729.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 26-X 270, 271
4			
5	729.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1 P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
6			
7			
8	729.12	Rear Yard	§§ 130, 134, 136 Required at grade level and above § 134(a) (e)
9			
10	729.13	Street Frontage	Required § 145.1
11			
12	729.14	Awning	§ 790.20 P § 136.1(a)
13	729.15	Canopy	§ 790.26 P § 136.1(b)
14	729.16	Marquee	§ 790.58 P § 136.1(c)
15	729.17	Street Trees	Required § 143
16	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES		
17			
18	729.20	Floor Area Ratio	§§ 102.9, 102.11, 123 1.8 to 1 § 124(a) (b)
19			
20	729.21	Use Size <i>[Nonresidential]</i>	§ 790.130 P up to 2,499 sq. ft.; C 2,500 to 3,999 sq. ft.; NP 4,000 sq. ft. & above § 121.2
21			
22			
23	729.22	Off-Street Parking,	§§ 150, 153--157, Generally, none required
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	Commercial/Institutional	159--160, 204.5	if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
729.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
729.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
729.25	Drive-Up Facility	§ 790.30	
729.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
729.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m.
729.30	General Advertising Sign	§§ 262, 602--604, 608, 609	
729.31	Business Sign	§§ 262, 602--604, 608, 609	P § 607.1(f)2
729.32	Other Signs	§§ 262, 602--604, 608, 609	P § 607.1(c) (d) (g)

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No.	Zoning Category	§ References	West Portal Avenue		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
729.38	Residential Conversion	§ 790.84	P		
729.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
729.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P#	P	
729.41	Bar	§ 790.22	C		
729.42	Full-Service Restaurant	§ 790.92	C		
729.43	Large Fast Food Restaurant	§ 790.90			
729.44	Small Self-Service Restaurant	§ 790.91			
729.45	Liquor Store	§ 790.55	P		
729.46	Movie Theater	§ 790.64			
729.47	Adult Entertainment	§ 790.36			
729.48	Other Entertainment	§ 790.38			

1	729.49	Financial Service	§ 790.110			
2	729.50	Limited Financial	§ 790.112	C		
3		Service				
4	729.51	Medical Service	§ 790.114	C	P	
5	729.52	Personal Service	§ 790.116	P	P	
6	729.53	Business or Professional	§ 790.108	C #	P	
7		Service				
8	729.54	Massage Establishment	§ 790.60, § 1900			
9			Health Code			
10	729.55	Tourist Hotel	§ 790.46			
11	729.56	Automobile Parking	§§ 790.8, 156,			
12			160			
13	729.57	Automotive Gas Station	§ 790.14			
14	729.58	Automotive Service	§ 790.17	C		
15		Station				
16	729.59	Automotive Repair	§ 790.15			
17	729.60	Automotive Wash	§ 790.18			
18	729.61	Automobile Sale or	§ 790.12			
19		Rental				
20	729.62	Animal Hospital	§ 790.6	C		
21	729.63	Ambulance Service	§ 790.2			
22						
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1	729.64	Mortuary	§ 790.62			
2	729.65	Trade Shop	§ 790.124	P		
3	729.66	Storage	§ 790.117			
4	729.67	Video Store	§ 790.135	C	C	
5						
6						
7						
8	729.68	Fringe Financial Service	§ 790.111			
9						
10	<u>729.69</u>		<u>§ 790.93</u>			
11		<u>Self-Service Specialty Food</u>				
12						
13	Institutions and Non-Retail Sales and Services					
14						
15	729.70	Administrative Service	§ 790.106			
16						
17	729.80	Hospital or Medical Center	§ 790.44			
18						
19	729.81	Other Institutions, Large	§ 790.50	C	C	
20						
21	729.82	Other Institutions, Small	§ 790.51	P	P	
22						
23	729.83	Public Use	§ 790.80	C	C	
24	729.84	Medical Cannabis	§ 790.141	C		

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1		Dispensary				
2	RESIDENTIAL STANDARDS AND USES					
3	729.90	Residential Use	§ 790.88	P	P	
4	729.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4		
5	729.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
6	729.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)		
7	729.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
8	729.95	Community Residential Parking	§ 790.10	C	C	

18 SPECIFIC PROVISIONS FOR THE WEST PORTAL AVENUE NEIGHBORHOOD
19 COMMERCIAL DISTRICT

20 TABLE INSET:

21	Article 7 Code Section	Other Code Section	Zoning Controls
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§ 729.40	§ 790.102	<p>Boundaries: The entire West Portal Neighborhood Commercial District Controls: A retail coffee store or other non-alcoholic beverage store as defined by Subsection 790.102(n) may be granted a conditional use to be exempt from the prohibition described in that subsection of cooking devices and on-site food preparation not connected with beverage preparation, provided that the cooking device allowed shall be limited to one small device for warming sandwich ingredients and provided that all other provisions of Subsection 790.102(n) are met.</p>
§ 729.53		<p>Boundaries: The entire West Portal Neighborhood Commercial District Controls: Applicable only for the use of stock brokerage. A stock brokerage may apply for conditional use if there are no more than a total of seven financial uses and/or stock brokerages within the district. If there are more than seven financial services and/or stock brokerages in the district, stock brokerages shall not be permitted.</p>

Section 39. The San Francisco Planning Code is hereby amended by amending Section 730.1, to read as follows:

SEC. 730.1. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

1 The Inner Sunset Neighborhood Commercial District is located in the Inner Sunset
2 neighborhood, consisting of the NC-2 district bounded by Lincoln Way on the north, Fifth
3 Avenue on the east, Kirkham Street on the south, and Nineteenth Avenue on the west. The
4 shopping area provides convenience goods and services to local Inner Sunset residents, as
5 well as comparison shopping goods and services to a larger market area. The commercial
6 district is also frequented by users of Golden Gate Park on weekends and by City residents
7 for its eating, drinking, and entertainment places. Numerous housing units establish the
8 district's mixed residential-commercial character.

9 The Inner Sunset District controls are designed to protect the existing building scale
10 and promote new mixed-use development which is in character with adjacent buildings. The
11 building standards regulate large-lot and use development and protect rear yards above the
12 ground story and at residential levels. To promote the prevailing mixed use character, most
13 commercial uses are directed primarily to the ground story with some upper-story restrictions
14 in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving
15 commercial uses and regulate the more intensive commercial uses which can generate
16 congestion and nuisance problems, special controls prohibit additional eating and drinking
17 uses, restrict expansion and intensification of existing eating and drinking establishments, and
18 limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses
19 protect the district's continuous retail frontage.

20 Housing development in new buildings is encouraged above the ground story. Existing
21 residential units are protected by prohibition of upper-story conversions and limitations on
22 demolitions.

23
24 **SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT**
25

ZONING CONTROL TABLE

TABLE INSET:

			Inner Sunset
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
730.1	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 270, 271	40-X
730.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
730.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
730.13	Street Frontage		Required § 145.1
730.14	Awning	§ 790.20	P § 136.1(a)
730.15	Canopy	§ 790.26	P § 136.1(b)
730.16	Marquee	§ 790.58	P § 136.1(c)
730.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
730.2	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)

1				P up to 2,499 sq. ft.; C
2	730.21	Use Size <i>[Nonresidential]</i>	§ 790.130	2,500 sq. ft. & above §
3				121.2
4				Generally, none required
5	730.22	Off-Street Parking,	§§ 150, 153--157,	if occupied floor area is
6		Commercial/Institutional	159--160, 204.5	less than 5,000 sq. ft. §§
7				151, 161(g)
8				Generally, none required
9				if gross floor area is less
10	730.23	Off-Street Freight Loading	§§ 150, 153--155,	than 10,000 sq. ft. §§
11			204.5	152, 161(b)
12				
13	730.24	Outdoor Activity Area	§ 790.70	P if located in front; C if
14				located elsewhere §
15				145.2(a)
16	730.25	Drive-Up Facility	§ 790.30	
17				
18	730.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if
19				not recessed § 145.2(b)
20				
21	730.27	Hours of Operation	§ 790.48	P 6 a.m.--2 a.m. C 2
22				a.m.--6 a.m.
23	730.30	General Advertising Sign	§§ 262, 602, 604,	
24			608, 609	
25	730.31	Business Sign	§§ 262, 602, 604,	P § 607.1(f)2

		608, 609	
730.32	Other Signs	§§ 262, 602, 604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	Inner Sunset		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
730.38	Residential Conversion	§ 790.84	P		
730.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
730.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	C	
730.41	Bar	§ 790.22	C #		
730.42	Full-Service Restaurant	§ 790.92	C #		
730.43	Large Fast Food Restaurant	§ 790.90			
730.44	Small Self-Service Restaurant	§ 790.91	C		

1	730.45	Liquor Store	§ 790.55			
2	730.46	Movie Theater	§ 790.64	P		
3	730.47	Adult Entertainment	§ 790.36			
4	730.48	Other Entertainment	§ 790.38	C		
5	730.49	Financial Service	§ 790.110	P		
7	730.50	Limited Financial Service	§ 790.112	P		
9	730.51	Medical Service	§ 790.114	C	C	
10	730.52	Personal Service	§ 790.116	P	C	
11	730.53	Business or Professional Service	§ 790.108	P	C	
13	730.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
16	730.55	Tourist Hotel	§ 790.46	C	C	
17	730.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
19	730.57	Automotive Gas Station	§ 790.14			
21	730.58	Automotive Service Station	§ 790.17			
23	730.59	Automotive Repair	§ 790.15	C		

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1	730.60	Automotive Wash	§ 790.18			
2	730.61	Automobile Sale or	§ 790.12			
3		Rental				
4	730.62	Animal Hospital	§ 790.6	C		
5	730.63	Ambulance Service	§ 790.2			
6	730.64	Mortuary	§ 790.62			
7	730.65	Trade Shop	§ 790.124	P		
8	730.66	Storage	§ 790.117			
9	730.67	Video Store	§ 790.135	C		
10	730.68	Fringe Financial Service	§ 790.111	P#		
11						
12	<u>730.69</u>	<u>Self-Service Specialty Food</u>	<u>§ 790.93</u>	<u>C</u>		
13						
14	Institutions and Non-Retail Sales and Services					
15	730.7	Administrative Service	§ 790.106			
16	730.8	Hospital or Medical	§ 790.44			
17		Center				
18	730.81	Other Institutions, Large	§ 790.50	P	C	C

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2	730.82	Other Institutions, Small	§ 790.51	P	P
3					P
4	730.83	Public Use	§ 790.80	C	C
5					
6	730.84	Medical Cannabis Dispensary	§ 790.141	P	
7					
8	RESIDENTIAL STANDARDS AND USES				
9	730.9	Residential Use	§ 790.88	P	P
10					P
11	730.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 800 sq. ft. lot area § 207.4	
12	730.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208	
13					
14	730.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 100 sq. ft. if private, or 133 sq. ft. if common § 135(d)	
15					
16	730.94	Off-Street Parking, Residential	§§ 150, 153--157, 159--160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)	
17					
18	730.95	Community Residential Parking	§ 790.10	C	C
19					C
20					
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22					

23 SPECIFIC PROVISIONS FOR THE INNER SUNSET

1 NEIGHBORHOOD COMMERCIAL DISTRICT

2 TABLE INSET:

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4 Article 7 Code Section	5 Other Code Section	Zoning Controls
6 § 730.68	7 § 249.35	8 Fringe financial services are P subject to the restrictions 9 set forth in Section 249.35, including, but not limited to, 10 the proximity restrictions set forth in Subsection 11 249.35(c)(3).

12 Section 40. The San Francisco Planning Code is hereby amended by amending
13 Section 731.1, to read as follows:

14 **SEC. 731.1. NCT-3 -- MODERATE-SCALE NEIGHBORHOOD COMMERCIAL
15 TRANSIT DISTRICT.**

16 NCT-3 Districts are transit-oriented moderate- to high-density mixed-use
17 neighborhoods of varying scale concentrated near transit services. The NCT-3 Districts are
18 mixed use districts that support neighborhood-serving commercial uses on lower floors and
19 housing above. These districts are well-served by public transit and aim to maximize
20 residential and commercial opportunities on or near major transit services. The district's form
21 can be either linear along transit-priority corridors, concentric around transit stations, or
22 broader areas where transit services criss-cross the neighborhood. Housing density is limited
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1 not by lot area, but by the regulations on the built envelope of buildings, including height, bulk,
2 setbacks, and lot coverage, and standards for residential uses, including open space and
3 exposure, and urban design guidelines. Residential parking is not required and generally
4 limited. Commercial establishments are discouraged or prohibited from building accessory off-
5 street parking in order to preserve the pedestrian-oriented character of the district and prevent
6 attracting auto traffic. There are prohibitions on access (i.e. driveways, garage entries) to off-
7 street parking and loading on critical stretches of NC and transit streets to preserve and
8 enhance the pedestrian-oriented character and transit function.
9

10 NCT-3 Districts are intended in most cases to offer a wide variety of comparison and
11 specialty goods and services to a population greater than the immediate neighborhood,
12 additionally providing convenience goods and services to the surrounding neighborhoods.
13 NCT-3 Districts include some of the longest linear commercial streets in the City, some of
14 which have continuous retail development for many blocks. Large-scale lots and buildings and
15 wide streets distinguish the districts from smaller-scaled commercial streets, although the
16 districts may include small as well as moderately scaled lots. Buildings may range in height,
17 with height limits varying from four to eight stories.
18

19 NCT-3 building standards permit moderately large commercial uses and buildings.
20 Rear yards are protected at residential levels.

21 A diversified commercial environment is encouraged for the NCT-3 District, and a wide
22 variety of uses are permitted with special emphasis on neighborhood-serving businesses.

23 Eating and drinking, entertainment, and financial service uses generally are permitted with
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1 certain limitations at the first and second stories. Auto-oriented uses are somewhat restricted.
 2 Other retail businesses, personal services and offices are permitted at all stories of new
 3 buildings. Limited storage and administrative service activities are permitted with some
 4 restrictions.

5 Housing development in new buildings is encouraged above the second story. Existing
 6 residential units are protected by limitations on demolitions and upper-story conversions.

7 SEC. 731. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL
 8 TRANSIT DISTRICT NCT-3 ZONING CONTROL TABLE.
 9

10 TABLE INSET:

			NC-3
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
731.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 261.1, 263.18, 270, 271	Varies See Zoning Map Height Sculpting on Alleys; § 261.1 Additional 5' Height Allowed for Ground Floor Active Uses in 40-X and 50-X; § 263.18
731.11	Lot Size [Per Development]	§§ 790.56,	P up to 9,999 sq. ft.; C

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		121.1	10,000 sq. ft. & above §121.1
731.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a)(e)
731.13	Street Frontage		Required § 145.1
731.13a	Street Frontage, Above- Grade Parking Setback and Active Uses		Minimum 25 feet on ground floor, 15 feet on floors above § 145.1(c), (e)
731.13b	Street Frontage, Required Ground Floor Commercial		Market Street, Church Street § 145.1(d)
731.13c	Street Frontage, Parking and Loading access restrictions		§ 155(r) NP: Market Street, Church Street, Mission Street C: Duboce Street, Haight Street
731.14	Awning	§ 790.20	P § 136.1(a)
731.15	Canopy	§ 790.26	P § 136.1(b)
731.16	Marquee	§ 790.58	P § 136.1(c)
731.17	Street Trees	-	Required

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			§ 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
731.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.6 to 1 § 124 (a) (b)
731.21	Use Size [Non-Residential]	§ 790.130	P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
731.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153-- 157, 159--160, 204.5	None required. For uses in Table 151 that are described as a ratio of occupied floor area, P up to 1 space per 1,500 feet of occupied floor area or the quantity specified in Table 151, whichever is less, and subject to the conditions of Section 151.1(f); NP above. For retail grocery stores larger than 20,000 square feet, P up to 1:500, C up to 1:250 for space in excess of 20,000 s.f. subject to conditions of 151.1(f); NP

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			above. For all other uses, P up to the quantity specified in Table 151, and subject to the conditions of Section 151.1(f); NP above. §§ 151.1, 166, 145.1
731.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
731.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
731.25	Drive-Up Facility	§ 790.30	
731.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
731.27	Hours of Operation	§ 790.48	No Limit
731.30	General Advertising Sign	§§ 262, 602--604, 608, 609	P # § 607.1(e)2
731.31	Business Sign	§§ 262, 602--604, 608, 609	P # § 607.1(f)3
731.32	Other Signs	§§ 262, 602--	P #

		604, 608, 609	§ 607.1(c) (d) (g)
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TABLE INSET:

No.	Zoning Category	§ References	NCT-3		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
731.38	Residential Conversion	§ 790.84, 207.7	C	C	C
731.39	Residential Demolition	§ 790.86, 207.7	C	C	C
731.39a	Residential Division	§ 207.6	P	P	P
Retail Sales and Services					
731.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P #	P #	P #
731.41	Bar	§ 790.22	P	P	-
731.42	Full-Service Restaurant	§ 790.92	P	P	-
731.43	Large Fast Food Restaurant	§ 790.90	C #	C #	-
731.44	Small Self-Service	§ 790.91	P #	P #	-

1		Restaurant				
2	731.45	Liquor Store	§ 790.55	-	-	-
3	731.46	Movie Theater	§ 790.64	P	P	-
4	731.47	Adult Entertainment	§ 790.36	C	C	-
5	731.48	Other Entertainment	§ 790.38	P	P	-
6	731.49	Financial Service	§ 790.110	P	P	-
7	731.50	Limited Financial Service	§ 790.112	P	P	-
8	731.51	Medical Service	§ 790.114	P	P	P
9	731.52	Personal Service	§ 790.116	P	P	P
10	731.53	Business or Professional Service	§ 790.108	P	P	P
11	731.54	Massage Establishment	§ 790.60, § 2700 Police Code	C	C	-
12	731.55	Tourist Hotel	§ 790.46	C	C	C
13	731.56	Automobile	§§ 790.8, 156,	C	C	C

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1		Parking	158.1, 160			
2	731.57	Automobile Gas	§ 790.14	C	-	-
3		Station				
4	731.58	Automotive	§ 790.17	C	-	-
5		Service Station				
6	731.59	Automotive	§ 790.15	C	C	-
7		Repair				
8	731.60	Automotive Wash	§ 790.18	C	-	-
9						
10	731.61	Automobile Sale	§ 790.12	C	-	-
11		or Rental				
12	731.62	Animal Hospital	§ 790.6	C	C	-
13						
14	731.63	Ambulance	§ 790.2	C	-	-
15		Service				
16	731.64	Mortuary	§ 790.62	C	C	C
17	731.65	Trade Shop	§ 790.124	P	C	C
18						
19	731.66	Storage	§ 790.117	C	C	C
20	731.67	Video Store	§ 790.135	C	C	C
21						
22	<u>731.68</u>	<u>Fringe Financial</u>	<u>§ 790.11</u>	<u>P</u>	<u>P</u>	<u>P</u>
23		<u>Services</u>				
24	<u>731.69</u>	<u>Self-Service</u>	<u>§ 790.93</u>	<u>P#</u>	<u>P#</u>	
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	<i>Specialty Food</i>				
Institutions and Non-Retail Sales and Services					
731.70	Administrative Service	§ 790.106	C	C	C
731.80	Hospital or Medical Center	§ 790.44	C	C	C
731.81	Other Institutions, Large	§ 790.50	P	P	P
731.82	Other Institutions, Small	§ 790.51	P	P	P
731.83	Public Use	§ 790.80	C	C	C
731.84	Medical Cannabis Dispensary	§ 790.141	P #	-	-
RESIDENTIAL STANDARDS AND USES					
731.90	Residential Use	§ 790.88	P, except C for frontages listed in 145.1(d)	P	P
731.91	Residential Density, Dwelling	§§ 207, 207.1, 790.88(a)	No residential density limit by lot area. Density restricted by physical envelope		

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	Units		controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. § 207.4, 207.6
731.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	No group housing density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure and other applicable controls of this and other Codes, as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department. § 208
731.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)
731.94	Off-Street Parking, Residential	§§ 150, 153-157, 159-160,	None required. P up to 0.5; C up to 0.75. Not permitted above .75 cars for each

1		204.5	dwelling unit. § 151.1, 166, 167, 145.1		
2	731.95	Community Residential Parking	§ 790.10, 145.1, 166	C	C C
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4					

5 SPECIFIC PROVISIONS FOR NCT-3 DISTRICTS

6 TABLE INSET:

8 Article 7 Code Section	9 Other Code Section	Zoning Controls
10 § 731.30 11 § 731.31 12 § 731.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT
		Boundaries: Applicable only for the portion of the Market Street NCT-3 District from Octavia to Church Streets as mapped on Sectional Map SSD
		Controls: Special restrictions and limitations for signs
19 § 731.84 § 20 790.141	Health Code § 3308	Medical cannabis dispensaries in NCT-3 District may only operate between the hours of 8 am and 10 pm.

1 Section 41. The San Francisco Planning Code is hereby amended by amending
2 Section 732.1, to read as follows:

3 **SEC. 732.1. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.**

4 The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just
5 east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the
6 north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is
7 a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that
8 provides limited convenience goods to the adjacent neighborhoods.

9 The Pacific Avenue Neighborhood Commercial District controls are designed to
10 promote a small, neighborhood serving mixed-use commercial street that preserves the
11 surrounding neighborhood residential character. These controls are intended to preserve
12 livability in a largely low-rise development residential neighborhood, enhance solar access on
13 a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

14 (Added by Ord. 167-07, File. No. 070681, App. 7/20/2007)

16 **SEC. 732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT**

18 **ZONING CONTROL TABLE**

19 TABLE INSET:

			Pacific Avenue NCD
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			

1			§§ 102.12, 105, 106,	
2	732.10	Height and Bulk Limit	250-252, 260, 270,	40-X
3			271	See Zoning Map
4				P up to 9,999 sq. ft.; C
5	732.11	Lot Size [Per Development]	§§ 790.56, 121.1	10,000 sq. ft. & above §
6				121.1
7				45% required at the first
8				story and above and at
9	732.12	Rear Yard	§§ 130, 134, 136	all residential levels
10				§ 134(c)
11				Required
12	732.13	Street Frontage		§ 145.1
13				
14	732.14	Awning	§ 790.20	P
15				§ 136.1(a)
16	732.15	Canopy	§ 790.26	P
17				§ 136.1(b)
18	732.16	Marquee	§ 790.58	P
19				§ 136.1(c)
20				Required
21	732.17	Street Trees		§ 143
22	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
23				
24	732.20	Floor Area Ratio	§§ 102.9, 102.11,	1.5 to 1
25				

1		123	§ 124(a) (b)
2	732.21	Use Size [Non-Residential]	§ 790.130
3			P up to 1,999 sq. ft.;
4			C 2,000 sq. ft. & above
5			§ 121.2
6	732.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153-157, 159-160, 204.5
7			Generally, none
8			required if occupied
9			floor area is less than
10			2,000 sq. ft.
11			§§ 151, 161(g)

11 TABLE INSET:

12				Pacific Avenue NCD
13	No.	Zoning Category	§ References	Controls
14	732.23	Off-Street Freight Loading	§§ 150, 153-155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
15	732.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
16	732.25	Drive-Up Facility	§ 790.30	
17	732.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.;
18				C if not recessed § 145.2(b)
19	732.27	Hours of Operation	§ 790.48	P 6 a.m. - 10 p.m.;
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			C 10 p.m. - 2 a.m.
732.30	General Advertising Sign	§§ 262, 602-604, 608, 609	
732.31	Business Sign	§§ 262, 602-604, 608, 609	P § 607.1(f) 2
732.32	Other Signs	§§ 262, 602-604, 608, 609	P § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	Pacific Avenue NCD		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
732.38	Residential Conversion	§ 790.84	C		
732.39	Residential Demolition	§ 790.86	C		
Retail Sales and Services					
732.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	C	
732.41	Bar	§ 790.22			
732.42	Full-Service	§ 790.92	C		

1		Restaurant				
2	732.43	Large Fast Food	§ 790.90			
3		Restaurant				
4	732.44	Small Self-Service	§ 790.91			
5		Restaurant				
6	732.45	Liquor Store	§ 790.55			
7	732.46	Movie Theater	§ 790.64			
8	732.47	Adult Entertainment	§ 790.36			
9	732.48	Other Entertainment	§ 790.38			
10	732.49	Financial Service	§ 790.110	C		
11	732.50	Limited Financial	§ 790.112	P		
12		Service				
13	732.51	Medical Service	§ 790.114	C	C	
14	732.52	Personal Service	§ 790.116	P	C	
15	732.53	Business or	§ 790.108	P	C	
16		Professional Service				
17	732.54	Massage	§ 790.60, § 2700			
18		Establishment	Police Code			
19	732.55	Tourist Hotel	§ 790.46			
20	732.56	Automobile Parking	§§ 790.8, 156, 160	C		

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1	732.57	Automotive Gas Station	§ 790.14			
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3	732.58	Automotive Service Station	§ 790.17			
4						
5	732.59	Automotive Repair	§ 790.15	C		
6						
7	732.60	Automotive Wash	§ 790.18			
8						
9	732.61	Automobile Sale or Rental	§ 790.12			
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11	732.62	Animal Hospital	§ 790.6			
12						
13	732.63	Ambulance Service	§ 790.2			
14						
15	732.64	Mortuary	§ 790.62			
16						
17	732.65	Trade Shop	§ 790.124	C		
18						
19	732.66	Storage	§ 790.117			
20						
21	732.67	Video Store	§ 790.135	C		
22						
23	<u>732.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>P</u>		
24						
25	<u>732.69</u>	<u>Self-Serve Specialty Food</u>	<u>§ 790.93</u>			

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Institutions and Non-Retail Sales and Services					
732.70	Administrative Service	§ 790.106			
732.80	Hospital or Medical Center	§ 790.44			
732.81	Other Institutions, Large	§ 790.50			
732.82	Other Institutions, Small	§ 790.51	C		
732.83	Public Use	§ 790.80	C		
RESIDENTIAL STANDARDS AND USES					
732.90	Residential Use	§ 790.88	P	P	P
732.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 1,000 sq. ft. lot area § 207.4		
732.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 275 sq. ft. lot area § 208		
732.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 100 sq. ft if private, or 133 sq. ft. if common § 135(d)		
732.94	Off-Street Parking, Residential	§§ 150, 153-157, 159-160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		

1	732.95	Community Residential			
2		Parking	§ 790.10	C	

3
4 Section 42. The San Francisco Planning Code is hereby amended by amending
5 Section 733.1, to read as follows:
6

7 **SEC. 733.1. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT**
8 **DISTRICT.**

9 The Upper Market Street Neighborhood Commercial Transit District is located on
10 Market Street from Church to Noe Streets, and on side streets off Market. Upper Market
11 Street is a multi-purpose commercial district that provides limited convenience goods to
12 adjacent neighborhoods, but also serves as a shopping street for a broader trade area. A
13 large number of offices are located on Market Street within easy transit access to downtown.
14 The width of Market Street and its use as a major arterial diminish the perception of the Upper
15 Market Street Transit District as a single commercial district. The street appears as a
16 collection of dispersed centers of commercial activity, concentrated at the intersections of
17 Market Street with secondary streets.
18

19 This district is well served by transit and is anchored by the Market Street subway (with
20 stations Church Street and Castro Street) and the F-Market historic streetcar line. All light-rail
21 lines in the City traverse the district, including the F, J, K, L, M, and N, and additional key
22 cross-town transit service crosses Market Street at Fillmore and Castro Streets. Additionally,
23 Market Street is a primary bicycle corridor. Housing density is limited not by lot area, but by
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1 the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot
2 coverage, and standards for residential uses, including open space and exposure, and urban
3 design guidelines. Residential parking is not required and generally limited. Commercial
4 establishments are discouraged or prohibited from building accessory off-street parking in
5 order to preserve the pedestrian-oriented character of the district and prevent attracting auto
6 traffic. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking
7 and loading on Market and Church Streets to preserve and enhance the pedestrian-oriented
8 character and transit function.
9

10 The Upper Market Street district controls are designed to promote moderate-scale
11 development which contributes to the definition of Market Street's design and character. They
12 are also intended to preserve the existing mix of commercial uses and maintain the livability of
13 the district and its surrounding residential areas. Large-lot and use development is reviewed
14 for consistency with existing development patterns. Rear yards are protected at all levels. To
15 promote mixed-use buildings, most commercial uses are permitted with some limitations
16 above the second story. In order to maintain continuous retail frontage and preserve a
17 balanced mix of commercial uses, ground-story neighborhood-serving uses are encouraged,
18 and eating and drinking, entertainment, and financial service uses are limited. Ground floor-
19 commercial space is required along Market and Church Streets. Most automobile and drive-
20 up uses are prohibited or conditional.
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Housing development in new buildings is encouraged above the second story. Existing upper-story residential units are protected by limitations on demolitions and upper-story conversions.

SEC. 733. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE.

TABLE INSET:

			Upper Market Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
733.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250--252, 260, 261.1, 263.18, 270, 271	Varies See Zoning Map: Height Sculpting on Alleys; § 261.1 Additional 5' Height Allowed for Ground Floor Active Uses in 40-X and 50-X; § 263.18
733.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 9,999 sq. ft. C 10,000 sq. ft. & above § 121.1
733.12	Rear Yard	§§ 130, 134, 136	Required from grade level and above § 134(a) (e)

1	733.13	Street Frontage	-	Required § 145.1
2		Street Frontage, Above-		Minimum 25 feet on ground
3	733.13a	Grade Parking Setback and		floor, 15 feet on floors
4		Active Uses		above § 145.1(c), (e)
5		Street Frontage, Required		Market Street; Church
6	733.13b	Ground Floor Commercial		Street § 145.1(d)
7		Street Frontage, Parking		§ 155(r) NP: Market Street,
8	733.13c	and Loading access		Church Street
9		restrictions		
10				
11	733.14	Awning	§ 790.20	P § 136.1(a)
12	733.15	Canopy	§ 790.26	P § 136.1(b)
13	733.16	Marquee	§ 790.58	P § 136.1(c)
14	733.17	Street Trees	-	Required § 143
15	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
16				
17	733.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.0 to 1 § 124(a) (b)
18				
19				P up to 2,999 sq. ft.; C 3,000
20	733.21	Use Size [Non-Residential]	§ 790.130	sq. ft. & above § 121.2
21				
22				
23	733.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153-- 157, 159--160, 204.5	None required. For uses in Table 151 that are described as a ratio of occupied floor
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			area, P up to 1 space per 1,500 feet of occupied floor area or the quantity specified in Table 151, whichever is less, and subject to the conditions of Section 151.1(f); NP above. For retail grocery stores larger than 20,000 square feet, P up to 1:500, C up to 1:250 for space in excess of 20,000 s.f. subject to conditions of 151.1(f); NP above. For all other uses, P up to the quantity specified in Table 151, and subject to the conditions of Section 151.1(f); NP above. §§ 151.1, 166, 145.1
733.23	Off-Street Freight Loading	§§ 150, 153--155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152.161(b)
733.24	Outdoor Activity Area	§ 790.70	P if located in front; C if

			located elsewhere § 145.2(a)
733.25	Drive-Up Facility	§ 790.30	-
733.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
733.27	Hours of Operation	§ 790.48	P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.
733.30	General Advertising Sign	§§ 262, 602-- 604, 608, 609	-
733.31	Business Sign	§§ 262, 602-- 604, 608, 609	P # § 607.1(f)(2)
733.32	Other Signs	§§ 262, 602-- 604, 608, 609	P # § 607.1(c) (d) (g)

TABLE INSET:

No.	Zoning Category	§ References	Upper Market Street		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
733.38	Residential Conversion	§§ 790.84, 207.7	C	C	-
733.39	Residential	§§ 790.86,	C	C	C

1		Demolition	207.7			
2	733.39a	Residential				
3		Division	§ 207.6	P	P	P
4	Retail Sales and Services					
5		Other Retail Sales				
6	733.40	and Services [Not	§ 790.102	P	P	-
7		Listed Below]				
8						
9	733.41	Bar	§ 790.22	C	-	-
10						
11	733.42	Full-Service	§ 790.92	C	-	-
12		Restaurant				
13						
14	733.43	Large Fast Food	§ 790.90	-	-	-
15		Restaurant				
16						
17	733.44	Small Self-Service	§ 790.91	C	-	-
18		Restaurant				
19						
20	733.45	Liquor Store	§ 790.55	C	-	-
21						
22	733.46	Movie Theater	§ 790.64	P	-	-
23						
24	733.47	Adult	§ 790.36	-	-	-
25		Entertainment				
	733.48	Other	§ 790.38	C#	-	-
		Entertainment				
	733.49	Financial Service	§ 790.110	C	C	-

1	733.50	Limited Financial Service	§ 790.112	P	-	-
2						
3	733.51	Medical Service	§ 790.114	P	P	C
4						
5	733.52	Personal Service	§ 790.116	P	P	C
6						
7	733.53	Business or Professional Service	§ 790.108	P	P	C
8						
9						
10	733.54	Massage Establishment	§ 790.60, Police Code § 2700	C	C	-
11						
12						
13	733.55	Tourist Hotel	§ 790.46	C	C	C
14						
15	733.56	Automobile Parking	§§ 790.8, 145.1, 156, 158.1, 160, 166	C	C	C
16						
17						
18	733.57	Automotive Gas Station	§ 790.14	-	-	-
19						
20	733.58	Automotive Service Station	§ 790.17	-	-	-
21						
22						
23	733.59	Automotive Repair	§ 790.15	C	-	-
24						

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1	733.60	Automotive Wash	§ 790.18	-	-	-
2						
3	733.61	Automobile Sale	§ 790.12	-	-	-
4		or Rental				
5	733.62	Animal Hospital	§ 790.6	C	-	-
6						
7	733.63	Ambulance	§ 790.2	-	-	-
8		Service				
9	733.64	Mortuary	§ 790.62	-	-	-
10	733.65	Trade Shop	§ 790.124	P	C	-
11	733.66	Storage	§ 790.117	-	-	-
12						
13	733.67	Video Store	§ 790.135	C	C	-
14						
15						
16	<u>733.68</u>	<u>Fringe Financial</u>	<u>§ 790.111</u>	<u>P</u>		
17		<u>Service</u>				
18	<u>733.69</u>	<u>Self Service</u>	<u>§ 790.93</u>	<u>C</u>		
19		<u>Specialty Food</u>				
20						
21	Institutions and Non-Retail Sales and Services					
22	733.70	Administrative	§ 790.106	-	-	-
23		Service				
24	733.80	Hospital or	§ 790.44	-	-	-
25						

1		Medical Center				
2	733.81	Other Institutions, Large	§ 790.50	P	C	C
3						
4	733.82	Other Institutions, Small	§ 790.51	P	P	P
5						
6	733.83	Public Use	§ 790.80	C	C	C
7						
8	733.84	Medical Cannabis Dispensary	§ 790.141	P	-	-
9						
10	RESIDENTIAL STANDARDS AND USES					
11				P, except C for		
12	733.90	Residential Use	§ 790.88	frontages listed in	P	P
13				145.1(d)		
14				No residential density limit by lot area.		
15				Density restricted by physical envelope		
16				controls of height, bulk, setbacks, open		
17				space, exposure and other applicable		
18	733.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	controls of this and other Codes, as well		
19				as by applicable design guidelines,		
20				applicable elements and area plans of		
21				the General Plan, and design review by		
22				the Planning Department.		
23				§ 207.4, 207.6		
24	733.92	Residential	§§ 207.1,	No group housing density limit by lot		
25						

1		Density, Group	790.88(b)	area. Density restricted by physical		
2		Housing		envelope controls of height, bulk,		
3				setbacks, open space, exposure and		
4				other applicable controls of this and		
5				other Codes, as well as by applicable		
6				design guidelines, applicable elements		
7				and area plans of the General Plan, and		
8				design review by the Planning		
9				Department.		
10				§ 208		
11	733.93	Usable Open		Generally, either 60 sq. ft. if private, or		
12		Space [Per	§§ 135, 136	80 sq. ft. if common 135(d)		
13		Residential Unit]				
14	733.94	Off-Street Parking,	§§ 150, 153--	None required. P up to 0.5; C up to .75.		
15		Residential	157, 159--160,	Not permitted above .75 cars for each		
16			204.5	dwelling unit. § 151.1		
17	733.95	Community	§§ 790.10,	C	C	C
18		Residential	145.1, 166			
19		Parking				
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SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL
TRANSIT DISTRICT

TABLE INSET:

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Article 7 Code Section	Other Code Section	Zoning Controls
§ 733.31 § 733.32	§ 608.10	UPPER MARKET STREET SPECIAL SIGN DISTRICT Boundaries: Applicable only for the portions of the Upper Market Street NCT as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs
§ 733.48	-	Boundaries: Applicable for the Upper Market Street NCT;. Controls: Existing bars in the Upper Market Street Neighborhood Commercial Transit District will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; provided, however, that a conditional use is required (1) if an application for a conditional use for the entertainment use was filed with the Planning Department prior to the date this ordinance was introduced or (2) if a conditional use was denied within 12 months prior to the effective date of this ordinance.

1 Section 43. The San Francisco Planning Code is hereby amended by amending
2 Section 780.1, to read as follows:

3 **SEC. 780.1. LAKESHORE PLAZA SPECIAL USE DISTRICT.**

4 In order to preserve the mix and variety of goods and services provided to the
5 Lakeshore Acres, Crestlake, and Merced Manor neighborhood residents yet provide
6 reasonable commercial expansion and intensification which would not disrupt the single-family
7 residential character of the surrounding neighborhoods, there shall be a Lakeshore Plaza
8 Special Use District, generally located on the NC-S-zoned block bounded by Sloat Boulevard,
9 Everglade Drive, Ocean Avenue, and Clearfield Drive, as designated on Sectional Map 13SU
10 of the Zoning Map. The following provisions shall apply within such special use district:

11 (a) Purpose and Findings. In addition to the purposes stated in Section 701 of this Code, the
12 following purpose and findings form a basis for special regulations and provide guidance for
13 their application in the Lakeshore Plaza Special Use District.

14 (1) The Lakeshore Plaza District is located on a single nine-acre parcel, bounded by Sloat
15 Boulevard, Ocean Avenue, Clearfield Drive and Everglade Drive. It is completely surrounded
16 by the Lakeshore Acres, Crestlake and Merced Manor single-family neighborhoods. It was
17 originally designed to be and functions as a small neighborhood shopping center, providing a
18 variety of retail goods and services mainly to the surrounding neighborhoods. It exhibits a
19 strong daytime and family orientation.

20 (2) The district contains three large low-scale buildings, which are removed from the street
21 edge and surrounded by a number of off-street parking spaces, in a configuration which
22 cannot accommodate new housing.

1 (b) Controls. The following controls for the NC-S District, as set forth in Sections 713.10
 2 through 713.95 of this Code, shall apply to the Lakeshore Plaza Special Use District, except
 3 as provided below:

4 TABLE INSET:

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Zoning Category No. Controls	
.10	The 26-40-X height district requires conditional use approval for heights over 26 feet not exceeding 40 feet.
.27	Hours of operation shall be permitted as a principal use from 6 a.m. to 11 p.m. and as a conditional use from 11 p.m. to 6 a.m.
.30	General advertising signs are not permitted.
.41	Bars are permitted as conditional uses at the first and second stories.
.44	Small self-service restaurants are permitted as conditional uses at the first and second stories.
.46	Movie theatres are permitted as conditional uses at the first and second stories.
.48	Other entertainment is permitted as a conditional use at the first and second stories.
.49	Financial services are permitted as principal uses at the third story.
.51, .52, .53	Medical services, personal services and business or professional services are permitted as principal uses at the third story.
.64	Mortuaries are not permitted.

1		<i>Self-service specialty food is permitted as a conditional use at the first and second</i>
2	.69	<i>stories.</i>
3	.70	Administrative services are permitted as principal uses at the first, second,
4		and third stories.
5	.81	Other institutions, large, are permitted as conditional uses at the first,
6		second, and third stories.
7	.82	Other institutions, small, are permitted as conditional uses at the first,
8		second and third stories.
9	.90	Residential uses are permitted as conditional uses at the first and second
10		stories and not permitted above the second story.
11	.91, .92,	Residential density for dwelling units is one unit per 3,000 sq. ft. of lot area;
12	.93	group housing is not permitted; minimum usable open space per dwelling
13		unit is 300 sq. ft. if private and 400 sq. ft. if common.
14	.95	Community residential garages are permitted as conditional uses at the first
15		story and below and not permitted above the first story.
16		

17

18 Section 44. In accordance with Planning Code Sections 106 and 302, the following

19 changes are hereby adopted as amendments to the Special Use District Map SU1 of the

20 Zoning Map of the City and County of San Francisco:

21

Description of Property	Special Use District, As Amended
North Beach Limited Financial Special Use District, plus block 0088, lots 015-022; block 0089, lots	North Beach Financial Service, Limited Financial Service, And Business Or Professional Service Subdistrict.

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001-010; block 0090, lots 001-008 and 024-031, 033, 037-038; block 0091, lots 054 and 060-067; block 0101, lots 004-005A, 030-031, 039-044; block 0103, lots 001, 003-007, 009, 014-015, 018, 039, 042-044; block 0104, lots 016-017, 019-024, 026-027, 029-034.	
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Description of Property	Special Use District Being Created	
North Beach Neighborhood Commercial District	North Beach Special Use District	

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

By: _____
Andrea Ruiz-Esqvide
Deputy City Attorney