

1 [Zoning - 1800 Market Street Community Center Project Special Use District]

2

3 **Ordinance amending the San Francisco Planning Code by adding Section 787 to**
 4 **establish the 1800 Market Street Community Center Project Special Use District for**
 5 **property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located**
 6 **at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No.**
 7 **SU07 of the Zoning Map of the City and County of San Francisco to reflect this new**
 8 **Special Use District; and adopting findings, including environmental findings, Section**
 9 **302 findings, and findings of consistency with the General Plan and priority policies of**
 10 **Planning Code Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
 12 deletions are *strike-through italics Times New Roman*.
 13 Board amendment additions are double-underlined;
 Board amendment deletions are ~~strike-through normal~~.

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

15 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
 16 hereby finds and declares as follows:

17 (a) The legislation will affect property located at 1800 Market Street (Lot No. 014,
 18 Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia
 19 Boulevard and currently occupied by the San Francisco Lesbian Gay Bisexual and
 20 Transgender Community Center (the "Property").

21 (b) The Planning Department has determined that this legislation is exempt from the
 22 California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Chapter 31 of the
 23 San Francisco Administrative Code. A Determination of Exemption dated _____,
 24 2010, is on file with the Clerk of the Board of Supervisors in File No. _____ and is
 25 incorporated herein by reference.

1 (c) On _____, 2010, the Planning Commission in Resolution No. _____
2 approved, and recommended for adoption by the Board, the 1800 Market Street Community
3 Center Project Special Use District and the Zoning Map amendment to establish a Special
4 Use District. A copy of Planning Commission Resolution No. _____ is on file with the
5 Clerk of the Board of Supervisors in File No. _____.

6 (d) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
7 Special Use District will serve the public necessity, convenience and welfare for the reasons
8 set forth in Planning Commission Resolution No. _____, approving and recommending
9 the Special Use District for adoption by the Board, and incorporates said findings herein by
10 reference.

11 (e) This Special Use District is consistent with the General Plan and with the Priority
12 Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission
13 Resolution No. _____ and the Board incorporates those reasons herein by reference.

14 Section 2. The San Francisco Planning Code is hereby amended by adding Section
15 787, to read as follows:

16 SEC. 787. 1800 MARKET STREET COMMUNITY CENTER PROJECT SPECIAL USE
17 DISTRICT.

18 In order to provide for a compatible revenue-generating commercial and economic
19 development use in a portion of the existing San Francisco Lesbian Gay Bisexual and Transgender
20 Community Center at 1800 Market Street to financially support the ongoing operations of such
21 community center, there shall be an 1800 Market Street Community Center Project Special Use District
22 at 1800 Market Street located at the northwest corner of Market Street and Octavia Boulevard,
23 consisting of Lot 014 of Assessor's Block 871, as designated on Sectional Map SU07 of the Zoning
24 Map. The following provisions shall apply within such special use district:

1 (a) In this special use district all of the provisions of this Code applicable in an NCT-3
2 Zoning District shall continue to apply, except as specifically provided in Subsections (b) and (c)
3 below.

4 (b) A full-service restaurant, as defined in Section 790.90, a bar, as defined in Section
5 790.22, and other entertainment, as defined in Section 790.38, up to 6,999 gross square feet in use size
6 shall be permitted uses on the third story and above.

7 (c) An outdoor activity area operated by a permitted full-service restaurant, bar or other
8 entertainment use, as defined by Sections 145.2 and 790.70, shall be a permitted use on the third story
9 and above if located contiguous to the Market Street front property line, subject to the following
10 restrictions:

11 (1) Hours of operation of the outdoor activity area shall be no later than 12:00 midnight
12 Sunday through Thursday and 2:00 a.m. on Friday, Saturday, and evenings before a holiday.

13 (2) The noise associated with any amplified music, outdoor speakers, or other devices
14 located in the outdoor activity area shall not exceed a noise level more than eight dBA above the local
15 ambient at any point outside of the property plane, as defined by Chapter 29 of the Police Code.

16 Section 3. In accordance with Planning Code Sections 106 and 302, Sheet SU07 of
17 the Zoning Map of the City and County of San Francisco is hereby amended to designate the
18 following as the 1800 Market Street Community Center Special Use District:

19 Assessor's Block 871, Lot 014, 1800 Market Street, located at the northwest corner of
20 Market Street and Octavia Boulevard.

21
22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By: _____
25 JUDITH A. BOYAJIAN
Deputy City Attorney