

1 [Exempting Certain Locations from Police Code Provisions Regulating Arcades]

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3 **Resolution exempting ground floor commercial uses from Police Code, Section**  
4 **1036.31(a)-(b), which allows up to 10 individual arcade devices at each commercial**  
5 **location, on parcels zoned Upper Market Neighborhood Commercial Transit District**  
6 **and at 1767 Waller Street.**

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8 WHEREAS, The Planning Code and the Police Code regulate Amusement Game  
9 Arcade devices, which are also know as Mechanical Amusement Devices; and

10 WHEREAS, The Planning Code defines Amusement Game Arcades in Section 890.4  
11 and regulates where Arcades may be located pursuant to the zoning tables for each zoning  
12 district; and

13 WHEREAS, The Planning Code generally permits Arcade games as an Accessory Use  
14 in a commercial establishment so long as the Arcade games comply with the square footage  
15 controls of the Police Code, Section 1036.31(b); and

16 WHEREAS, Police Code, Section 1036.31(a), establishes prohibited areas for  
17 Mechanical Amusement Devices and section 1036.31(b) establishes the number of  
18 Mechanical Amusement Devices that are allowed as an Accessory Use based on total square  
19 footage of the principal use with a cap of 10 devices; and

20 WHEREAS, Police Code Section, 1036.31(d)(1), allows the Board of Supervisors to  
21 exempt specific locations or geographic areas from the controls of Police Code, Section  
22 1036.31(a)-(b), by resolution; and

23 WHEREAS, Such resolution would have the practical effect of allowing a commercial  
24 establishment to locate more than 10 Mechanical Amusement Devices in a particular location;  
25 now, therefore, be it

1           RESOLVED, That any ground-floor commercial use in a parcel zoned Upper Market  
2 Neighborhood Commercial Transit shall be exempt from the limitations and restrictions set  
3 forth in Subsections (a) and (b) of Police Code, Section 1036.31; and, be it

4           FURTHER RESOLVED, That any ground-floor commercial use at 1767 Waller Street  
5 shall be exempt from the limitations and restrictions set forth in Subsections (a) and (b) of  
6 Police Code, Section 1036.31.

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