

1 [Prohibiting the sale or storage of alcohol as an accessory use in dwellings in R or NC
2 Districts.]

3 **Ordinance amending Planning Code section 204.1 to prohibit the sale or storage of**
4 **alcohol requiring a California Department of Alcoholic Beverage Control liquor license**
5 **as an accessory use in dwellings in R or NC Districts, and making findings of**
6 **consistency with the priority policies of Planning Code Section 101.1 and the General**
7 **Plan.**

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

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

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

15 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
16 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
17 Planning Commission Resolution No. _____ recommending approval of this Planning Code
18 Amendment, and incorporates such reasons by this reference thereto. A copy of said
19 resolution is on file with the Clerk of the Board of Supervisors in File No. _____.

20 (b) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
21 ordinance is in consistent with the Priority Policies of Section 101.1(b) of the Planning Code
22 and, when effective, with the General Plan as proposed to be amended and hereby adopts
23 the findings of the Planning Commission, as set forth in Planning Commission Resolution No.
24 _____, and incorporates said findings by this reference thereto.

1 Section 2. The San Francisco Planning Code is hereby amended by amending Section
2 204.1, to read as follows:

3 Sec. 204.1. Accessory Uses For Dwellings In R Or NC Districts.

4 No use shall be permitted as an accessory use to a dwelling unit in any R or NC District
5 which involves or requires any of the following:

6 (a) Any construction features or alterations not residential in character;

7 (b) The use of more than ¼ of the total floor area of the dwelling unit, except in the
8 case of accessory off-street parking and loading;

9 (c) The employment of any person not resident in the dwelling unit, other than a
10 domestic servant, gardener, janitor or other person concerned in the operation or
11 maintenance of the dwelling unit;

12 (d) Residential occupancy by persons other than those specified in the definition of
13 family in this Code;

14 (e) In RH-1(D), RH-1 and RH-1(S) Districts, the provision of any room for a roomer
15 or boarder with access other than from within the dwelling unit;

16 (f) Addition of a building manager's unit, unless such unit meets all the normal
17 requirements of this Code for dwelling units;

18 (g) The maintenance of a stock in trade, or the use of show windows or window
19 displays or advertising to attract customers or clients; or

20 (h) The conduct of a business office open to the public.

21 (i) The sale or storage of alcohol requiring a California Department of Alcoholic Beverage
22 Control liquor license.

23 Provided, however, that Subsection (h) of this Section shall not exclude the
24 maintenance within a dwelling unit of the office of a professional person who resides therein, if
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1 accessible only from within the dwelling unit; and provided, further, that Subsection (g) shall
2 not exclude the display of signs permitted by Article 6 of this Code.

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

6 By: _____
7 Sarah Ellen Owsowitz
8 Deputy City Attorney

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