

FILE NO. 071674

ORDINANCE NO. 87-08

1 [Zoning – Amend Superseded Height and Bulk Provisions in the North Beach NCD.]

2 722.1 *AK*

3 **Ordinance amending the San Francisco Planning Code by amending Section 722.10**
4 **and the Zoning Control Table in Section 722 to delete building height and bulk**
5 **provisions superseded by Ordinance No. 20-88 and adopting findings, including**
6 **environmental findings, Section 302 findings, and findings of consistency with the**
7 **General Plan and the Priority Policies of Planning Code Section 101.1.**

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
14 Francisco hereby finds and determines that:

15 (a) The Planning Department has determined that the actions contemplated in this
16 ordinance are in compliance with the California Environmental Quality Act (California Public
17 Resources Code Section 21000 et seq.). This determination is on file with the Clerk of the
18 Board of Supervisors in File No. 071674.

19 (b) At a duly noticed public hearing held on April 3, 2008, the Planning
20 Commission found in Resolution No. 17576 that the proposed Planning Code
21 amendments contained in this ordinance are consistent with the City's General Plan and with
22 the Priority Policies of Planning Code Section 101.1. A copy of this Planning Commission
23 Resolution is on file with the Clerk of the Board of Supervisors in File No.

24 071674 and is incorporated herein by reference. The Board finds that the
25 proposed Planning Code amendments contained in this ordinance are consistent with the

1 City's General Plan and with the Section 101.1 Priority Policies for the reasons set forth in the
2 Planning Commission Resolution cited above.

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

6 Section 2. The San Francisco Planning Code is hereby amended by amending Section
7 722.1, to read as follows:

8 SEC. 722.1. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

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

22 The North Beach District controls are designed to ensure the livability and
23 attractiveness of North Beach. Building standards limit new development to a small to
24 moderate scale. *New buildings which exceed 40 feet in the 65-foot height district will be carefully*
25

1 ~~reviewed, and~~ Rear yards are protected above the ground story and at residential levels. Most
 2 new commercial development is permitted at the first two stories. Small-scale, neighborhood-
 3 serving businesses are strongly encouraged. Special controls limit additional ground-story
 4 eating and drinking, entertainment, and business and professional office uses. Financial
 5 services are prohibited from locating in the portion of the district south of Union Street, while
 6 new financial services locating in the portion of the district north of Union Street are limited.
 7 Restrictions on automobile and drive-up uses are intended to promote continuous retail
 8 frontage and maintain residential livability.

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

12 Section 3. The San Francisco Planning Code is hereby amended by amending the
 13 Zoning Control Table of Section 722, to read as follows:

14
 15 **SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT**
 16 **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. C 41 to 65 ft. § 253.1
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

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

12				
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	C
22				
23	722.42	Full-Service Restaurant	§ 790.92	C C #
24	722.43	Large Fast Food Restaurant	§ 790.90	
25				

1	722.44	Small Self-Service Restaurant	§ 790.91	€		
2	722.45	Liquor Store	§ 790.55	C		
3	722.46	Movie Theater	§ 790.64	P		
4	722.47	Adult Entertainment	§ 790.36			
5	722.48	Other Entertainment	§ 790.38	C		
6	722.49	Financial Service	§ 790.110	C/NP #		
7	722.50	Limited Financial Service	§ 790.112	C		
8	722.51	Medical Service	790.114	P	P	
9	722.52	Personal Service	§ 790.116	P	P	
10	722.53	Business or Professional Service	§ 790.108	C	P	
11	722.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
12	722.55	Tourist Hotel	§ 790.46	C	C	C
13	722.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
14	722.57	Automotive Gas Station	§ 790.14			
15	722.58	Automotive Service Station	§ 790.17			
16	722.59	Automotive Repair	§ 790.15	C		
17	722.60	Automotive Wash	§ 790.18			
18	722.61	Automobile Sale or Rental	§ 790.12			
19	722.62	Animal Hospital	§ 790.6	C		
20						
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1	722.63	Ambulance Service	§ 790.2		
2	722.64	Mortuary	§ 790.62		
3	722.65	Trade Shop	§ 790.124	P#	C #
4	722.66	Storage	§ 790.117		
5	722.67	Video Store	§ 790.135	C	C
6	Institutions and Non-Retail Sales and Services				
7					
8	722.70	Administrative Service	§ 790.106		
9	722.80	Hospital or Medical Center	§ 790.44		
10	722.81	Other Institutions, Large	§ 790.50	P	C C
11	722.82	Other Institutions, Small	§ 790.51	P	P P
12	722.83	Public Use	§ 790.80	C	C C
13	722.84	Medical Cannabis	§ 790.141	P	
14		Dispensary			

15 **RESIDENTIAL STANDARDS AND USES**

16	722.90	Residential Use	§ 790.88	P	P P
17	722.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per sq. ft. lot area § 207.4	
18					
19	722.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom. per sq ft. lot area § 208	
20					
21	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)	
22					
23					
24					
25					

1	722.94	Off-Street Parking, Residential			
2					
3	722.95	Community Residential Parking	§ 790.10	C	C C
4					

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

Article 7

Code Section	Other Code Section	Zoning Controls
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~~§ 722.10 § 253.1 65-A-1 HEIGHT AND BULK DISTRICT~~
~~*Boundaries: Applicable for all of the North Beach NCD as mapped on Sectional Map 1H*~~
~~*Controls: Building height and bulk limits are P up to 40 feet; C between 41 feet and 65 feet*~~

§ 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 § 790.92 NORTH BEACH FULL-SERVICE RESTAURANTS

Boundaries: Applicable to the North Beach NCD
Controls: A full-service restaurant may be permitted as a conditional use on the second story if, in addition to the criteria set forth in Section 303, the Commission finds that:

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

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

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

(4) The full-service restaurant is operated in combination with a lawfully existing nonconforming second-floor movie theater as 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

NORTH BEACH FINANCIAL SERVICE SUBDISTRICT

Boundaries: Applicable only for portions of the North Beach NCD south of Union Street as mapped on Sectional Map ~~1-SU~~ SU01J

Controls: Financial services are NP at all stories

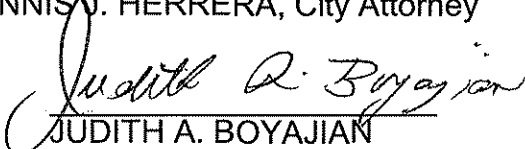
§ 722.65 § 236

GARMENT SHOP SPECIAL USE DISTRICT

Boundaries: Applicable only for the portion of North Beach NCD as mapped on Sectional Map ~~1-SU~~ SU01A

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

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

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 071674

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

April 29, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin,
Sandoval

Excused: 2 - Alioto-Pier, McGoldrick

May 6, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick,
Mirkarimi, Peskin, Sandoval

Absent: 1 - Maxwell

File No. 071674

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 6, 2008 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

5-13-08

Date Approved



Mayor Gavin Newsom