

File No. 170203 Committee Item No. 3  
 Board Item No. 10

**COMMITTEE/BOARD OF SUPERVISORS**  
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date May 22, 2017

Board of Supervisors Meeting Date JUNE 20, 2017  
 Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance Version 3                          |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER (Use back side if additional space is needed)**

- |                                     |                                     |                                    |
|-------------------------------------|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Ltr 02/28/17</u>       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Reso No. 19847</u>     |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Executive Summary</u>           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral CEQA 03/07/17</u>      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral PC 03/07/17</u>        |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral SBC 03/07/17</u>       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI 03/07/17</u>       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination 03/09/17</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Response SBC 04/14/17</u>       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                              |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                              |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                              |

Completed by: Erica Major Date May 19, 2017  
 Completed by: John Carroll Date May 26, 2017

1 [Planning Code - Article 7 Reorganization; Technical and Other Amendments]

2  
3 Ordinance amending the Planning Code to reorganize Article 7 and to update, correct,  
4 clarify, and simplify Code language in other Planning Code Sections; requiring  
5 ~~Conditional Use authorization for Bars, and Liquor Stores on the first floor in the~~  
6 ~~Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts (“NCDs”);~~  
7 ~~enacting permanent controls requiring Conditional Use authorization for Medical~~  
8 ~~Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood~~  
9 ~~Commercial Districts; require Conditional Use authorization for Personal Services on~~  
10 ~~the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial~~  
11 ~~Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m.~~  
12 ~~to 6 a.m., and the demolition or merger of units on the second story and above in the~~  
13 ~~North Beach Neighborhood Commercial District; preserve the small storefronts, street~~  
14 ~~frontage and prohibit vehicular access on certain streets within the North Beach NCD~~  
15 ~~and SUD; create the definition of Special Food Manufacturing and amending the Eating~~  
16 ~~and Drinking Controls for the North Beach SUD; affirming the Planning Department’s~~  
17 ~~determination under the California Environmental Quality Act; and making findings of~~  
18 ~~consistency with the General Plan, and the eight priority policies of Planning Code,~~  
19 ~~Section 101.1; and adopting findings of public convenience, necessity, and welfare~~  
20 ~~under Planning Code, Section 302.~~

21 NOTE: Unchanged Code text and uncodified text are in plain Arial font.  
22 Additions to Codes are in *single-underline italics Times New Roman font*.  
23 Deletions to Codes are in *strikethrough italics Times New Roman font*.  
24 Board amendment additions are in double-underlined Arial font.  
25 Board amendment deletions are in ~~strikethrough Arial font~~.  
Asterisks (\* \* \* \*) indicate the omission of unchanged Code subsections or parts of tables.

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

2  
3 Section 1. Findings.

4 (a) The Planning Department has determined that the actions contemplated in this  
5 ordinance comply with the California Environmental Quality Act (California Public Resources  
6 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
7 Supervisors in File No. 170203 and is incorporated herein by reference. The Board affirms  
8 this determination.

9 (b) On February 2, 2017, the Planning Commission, in Resolution No. 19847,  
10 adopted findings that the actions contemplated in this ordinance are consistent, on balance,  
11 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The  
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
13 the Board of Supervisors in File No. 170203, and is incorporated herein by reference.

14 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning  
15 Code amendments will serve the public necessity, convenience, and welfare for the reasons  
16 set forth in Planning Commission Resolution No. 19847 and the Board incorporates such  
17 reasons herein by reference.  
18

19 Section 2. The Planning Code is hereby amended by revising Sections 102, 121.1,  
20 121.2, 121.4, 121.7, 134, 145.1, 145.2, 145.4, 155, 177, 178, 186.1, 201, 202, 202.1, 202.2,  
21 202.3, 202.5, 204, 208, Tables 209.1, 209.2, 209.3, 210.1, 210.2, 210.3 and 210.4, Sections  
22 231, 249.35A, 249.40A, 249.60, 249.64, 253.1, 253.3, 260, 263.11, 303, 303.1, 304, 306.3,  
23 306.10, 307, 308, 308.1, 310, 312, and 607.1 and deleting Sections 316, 316.1, 316.2, 316.3,  
24 316.4, 316.5, and 316.6, to read as follows:  
5

1 **SEC. 102. DEFINITIONS.**

2 For the purposes of this Code, certain words and terms used herein are defined as set  
3 forth in this and the following sections. ~~Additional definitions applicable to Article 7, Neighborhood~~  
4 ~~Commercial Districts, and to Article 9, Mission Bay Districts, are set forth in Section 790.~~ Additional  
5 definitions applicable to Signs are set forth in Section 602. Additional definitions applicable to  
6 development impact fees and requirements that authorize the payment of in-lieu fees are set  
7 forth in Section 401. Additional definitions applicable only to Article 8, Mixed Use Districts, are  
8 set forth in Section 890. Additional definitions applicable only to the North Beach Neighborhood  
9 Commercial District and the North Beach Special Use District are set forth in Sections 780.3.

10 Additional definitions applicable only to the Bernal Heights Special Use District are set forth in  
11 Section 242. Additional definitions applicable only to Article 9, Mission Bay Districts, are set  
12 forth in Section 996. All words used in the present tense shall include the future. All words in  
13 the plural number shall include the singular number, and all words in the singular number shall  
14 include the plural number, unless the natural construction of the wording indicates otherwise.  
15 The word "shall" is mandatory and not directory. Whenever any of the following terms is used  
16 it shall mean the corresponding officer, department, board or commission or its successor of  
17 the City and County of San Francisco, State of California, herein referred to as the City:  
18 Assessor, Board of Supervisors, Planning Department, Department of Public Works, Director  
19 of Planning, Planning Commission, or Zoning Administrator. In each case, the term shall be  
20 deemed to include an employee of any such officer or department of the City who is lawfully  
21 authorized to perform any duty or exercise any power as a representative or agent of that  
22 officer or department.

23  
24 Accessory Use. A related minor Use that is either necessary to the operation or enjoyment of a lawful  
25 Principal Use or Conditional Use, or appropriate, incidental, and subordinate to any such use, and is

1 located on the same lot. Accessory Uses are regulated by Sections 204 through 204.5 and Sections  
2 703(d) and 803.2(b)(C) of this Code.

3 \* \* \* \*

4 **Amusement Game Arcade.** A Retail Entertainment Arts and Recreation Use that provides eleven or  
5 more amusement game devices such as video games, pinball machines, or other such similar  
6 mechanical and electronic amusement devices, in a quantity which exceeds that specified in Section  
7 1036.23 of the Police Code as an Ancillary Use. Mechanical amusement devices are further regulated  
8 in Sections 1036 through 1036.24 of the Police Code.

9 \* \* \* \*

10 **Arts Activities.** ~~A Retail An~~ A retail Entertainment, Arts and Recreation Use that includes  
11 performance, exhibition (except exhibition of films), rehearsal, production, post-production and  
12 some schools of any of the following: Dance, music, dramatic art, film, video, graphic art,  
13 painting, drawing, sculpture, small-scale glassworks, ceramics, textiles, woodworking,  
14 photography, custom-made jewelry or apparel, and other visual, performance and sound arts  
15 and craft. It shall exclude accredited Schools and Post-Secondary Educational Institutions. It  
16 shall include commercial arts and art-related business service uses including, but not limited  
17 to, recording and editing services, small-scale film and video developing and printing; titling;  
18 video and film libraries; special effects production; fashion and photo stylists; production, sale  
19 and rental of theatrical wardrobes; and studio property production and rental companies. Arts  
20 spaces shall include studios, workshops, archives and theaters, and other similar spaces  
21 customarily used principally for arts activities, exclusive of a Movie Theater, Amusement  
22 Enterprise, Adult Entertainment, and any other establishment where liquor is customarily  
23 served during performances.

24 \* \* \* \*

1 **Automotive Service Station.** A Retail Automotive Use that provides motor fuels and  
2 lubricating oils directly into motor vehicles and minor auto repairs (excluding engine repair,  
3 rebuilding, or installation of power train components, reconditioning of badly worn or damaged  
4 motor vehicles, collision service, or full body paint spraying) and services that remain  
5 incidental to the principal sale of motor fuel. Repairs shall be conducted within no more than  
6 three enclosed service bays in buildings having no openings, other than fixed windows or  
7 exits required by law, located within ~~50~~ 40 feet of any R District. It may include other incidental  
8 services for automobiles including, but not limited to, accessory towing, if the number of  
9 towing vehicles does not exceed one, and all towed vehicles stored on the premises are  
10 limited to those vehicles that are to be repaired on the premises. This use is subject to the  
11 controls in Sections 187.1, 202.2(b), and 202.5.

12 \* \* \* \*

13 *Conditional Use. Conditional Use allows the Planning Commission to consider uses or projects that*  
14 *may be necessary or desirable in a particular neighborhood, but which are not allowed as a matter of*  
15 *right within a particular zoning district. Whether a use is conditional in a given district is indicated in*  
16 *this Code. Sections of this Code that govern Conditional Uses include, but are not limited to Sections*  
17 *178, 179, 303, and 303.1.*

18 \* \* \* \*

19 **Eating and Drinking Use.** A grouping of Retail Sales and Service Uses that provide food  
20 and/or beverages for either on- or off-site food consumption including Bars, Restaurants, and  
21 Limited-Restaurants, ~~and Take-out Food~~. Eating and Drinking Uses are subject to the  
22 conditions in Section 202.2(a).

23 \* \* \* \*

24 **Entertainment, General.** A Retail Entertainment, Arts and Recreation Use that provides  
25 entertainment or leisure pursuits to the general public including dramatic and musical

1 performances where alcohol is not served during performances, billiard halls, bowling alleys,  
2 skating rinks, and mini-golf ~~and game arcades~~, when conducted within a completely enclosed  
3 building, and which is adequately soundproofed or insulated so as to confine incidental noise  
4 to the premises.

5 \* \* \* \*

6 ~~**Entertainment, Arts and Recreation, Non-Commercial.** A subcategory of Entertainment, Arts and  
7 Recreation Uses that includes Open Recreation Area and Passive Outdoor Recreation.~~

8  
9 ~~**Entertainment, Arts and Recreation, Retail.** A subcategory of Entertainment, Arts and Recreation  
10 Uses that includes Arts Activities, General Entertainment, Livery Stables, Movie Theater, Nighttime  
11 Entertainment, Outdoor Entertainment, and Sports Stadium.~~

12  
13 **Entertainment, Arts and Recreation Use.** A Use Category that includes Amusement Game  
14 Arcade, Arts Activities, General Entertainment, Livery Stables, Movie Theater, Nighttime  
15 Entertainment, Open Recreation Area, Outdoor Entertainment, Passive Outdoor Recreation  
16 and Sports Stadiums. Adult Business is not included in this definition, except for the purposes  
17 of Development Impact Fee Calculation as described in Article 4 Four.

18 \* \* \* \*

19 **Grocery, General.** A Retail Sales and Services Use that:

20 (a) Offers a diverse variety of unrelated, non-complementary food and non-food  
21 commodities, such as beverages, dairy, dry goods, fresh produce and other perishable items,  
22 frozen foods, household products, and paper goods;

23 (b) May provide beer, wine, and/or liquor sales for consumption off the premises  
24 with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or  
5 type 21 (off-sale general) that occupy less than 15% of the Occupied Floor Area of the establishment

1 ~~(including all areas devoted to the display and sale of alcoholic beverages) within the accessory use~~  
2 ~~limits as set forth in Section 703.2 (b)(1)(C)(vi);~~

3 (c) ~~May prepare Prepares~~ minor amounts ~~of or no~~ food on site for immediate  
4 consumption; ~~and~~

5 (d) Markets the majority of its merchandise at retail prices; ~~and~~

6 (e) ~~May have a Limited Restaurant use within the accessory use limits as set forth in Section~~  
7 ~~703.2(b)(1)(C)(iii). Such businesses s~~ Shall operate with the specified conditions in Section  
8 202.2(a)(1).

9 (f) ~~Such businesses R~~requires Conditional Use authorization for conversion of a  
10 General Grocery use greater than 5,000 square feet, pursuant to Section 202.3 ~~and 303(l).~~

11 **Grocery, Specialty.** A Retail Sales and Services Use that:

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

16 (b) May provide beer, wine, and/or liquor sales for consumption off the premises  
17 with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or  
18 type 21 (off-sale general) which occupy less than 15% of the Occupied Floor Area of the  
19 establishment (including all areas devoted to the display and sale of alcoholic beverages) within the  
20 accessory use limits as set forth in Section 703.2(b)(1)(C)(vi);

21 (c) ~~May prepare Prepares~~ minor amounts ~~of or no~~ food on site for immediate  
22 consumption off-site with no seating permitted; and

23 (d) Markets the majority of its merchandise at retail prices.



1 (e) ~~May provide Limited Restaurant services within the accessory use limits as set forth in~~  
2 ~~Section 703.2(b)(1)(C)(iii).~~ Such businesses that provide food or drink per subsections (b) and (c)  
3 above shall operate with the specified conditions in Section 202.2(a)(1).

4 \* \* \* \*

5 **Hours of Operation.** ~~A commercial Use Characteristic limiting~~ The permitted hours during  
6 which any commercial establishment, not including automated teller machines, may be open  
7 for business. Other restrictions on the hours of operation of Movie Theaters, Adult  
8 Businesses, Nighttime Entertainment, General Entertainment, and Other Entertainment Uses, as  
9 defined in this Sections 102 and 890 of the Code, shall apply pursuant to provisions in Section  
10 303~~(p)(e)(5)~~, when such uses are permitted as ~~e~~Conditional ~~u~~Uses. A Pharmacy may qualify  
11 for the exception to operate on a 24-hour basis provided in ~~this~~ Section 202.2(a)(2) of the  
12 Code.

13 \* \* \* \*

14 **Liquor Store.** A Retail Sales and Service Use that sells beer, wine, or distilled spirits to a  
15 customer in an open or closed container for consumption off the premises and that needs a  
16 State of California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine)  
17 or type 21 (off-sale general) This classification shall not include retail uses that:

18 ~~(a)~~ are both ~~(1a)~~ classified as a General Grocery, a Specialty Grocery, or a  
19 Restaurant-Limited, and ~~(2b)~~ have a ~~g~~Gross ~~f~~Floor ~~a~~Area devoted to alcoholic beverages that  
20 is within the applicable accessory use limits for the use district in which it is located, ~~and or~~

21 ~~(b)~~ have both ~~(1a)~~ a Non-residential Use Size of greater than 10,000 gross square  
22 feet and ~~(2b)~~ a gross floor area devoted to alcoholic beverages that is within accessory use  
23 limits as set forth in Section ~~204.23~~ or Section 703(d) of this Code, depending on the zoning  
24 district in which the use is located.

1           (c) For purposes of Planning Code Sections 249.5, 781.8, 781.9, 782, ~~783~~, and 784,  
2 the retail uses explicitly exempted from this definition as set forth above shall only apply to  
3 General Grocery and Specialty Grocery stores that exceed 5,000 square feet in size shall not:

4           (1a) sell any malt beverage with an alcohol content greater than 5.7 percent  
5 by volume; any wine with an alcohol content of greater than 15 percent by volume, except for  
6 "dinner wines" that have been aged two years or more and maintained in a corked bottle; or  
7 any distilled spirits in container sizes smaller than 600 milliliters;

8           (2b) devote more than 15 percent of the gross square footage of the  
9 establishment to the display and sale of alcoholic beverages; and

10           (3e) sell single servings of beer in container sizes 24 ounces or smaller.

11           \* \* \* \*

12 **Mobile Food Facility.** *A Retail Sales and Service Use as defined in Public Works Code Section*  
13 *184.80. Any vehicle or pushcart used in conjunction with a commissary or other permanent food*  
14 *facility upon which food is sold or distributed at retail prices. Mobile Food Facility does not include a*  
15 *"Transporter" used to transport packaged food from a food facility or other approved source to the*  
16 *consumer. A Mobile Food Facility does not include any use that sells goods, wares, or merchandise*  
17 *other than food or drink intended for human consumption. For the purposes of the Planning Code, a*  
18 *Mobile Food Facility that is a temporary Use is regulated as an intermittent activity, per Section 205.4;*  
19 *a Mobile Food Facility that exceeds the limitations set forth in Section 205.4 is considered a*  
20 *Restaurant or Limited Restaurant Use, as defined in this Section 102, and is regulated as such by the*  
21 *Use controls for the respective zoning district. Mobile Food Facilities shall comply with the good*  
22 *neighbor policies set forth in Public Works Code Section 184.94 as well as Planning Code*  
23 *Section 202.2(a)(1).*

24           \* \* \* \*

1 **Principal (or Principally Permitted) Use.** A Use permitted as of right in each established district  
2 where listed for that class of district in Articles 2, 7, 8, or 9 and as regulated in this Code. Principally  
3 permitted uses may be required to comply with the Operating Conditions of Section 202.2.

4 \* \* \* \*

5 **Residential Use.** A Use Category consisting of uses that provide housing for San Francisco  
6 residents, rather than visitors, including Dwelling Units, Group Housing, Residential Hotels,  
7 and Senior Housing, Homeless Shelters, and for the purposes of Article 4 only any residential  
8 components of Institutional Uses. Single Room Occupancy and Student Housing designations  
9 are consider characteristics of certain Residential Uses.

10 **Restaurant.** A Retail Sales and Service use that serves prepared, ready-to-eat cooked foods  
11 to customers for consumption on ~~or off~~ the premises and which has seating. ~~It may have a~~  
12 ~~Take-Out Food use~~ as a minor and incidental use, it may serve such foods to customers for off-site  
13 consumption. It may provide on-site beer, wine, and/or liquor sales for drinking on the premises  
14 (with ABC license types 41, 47, 49, 59, or 75); however, if it does so, it shall be required to  
15 operate as a Bona Fide Eating Place. It is distinct and separate from a Limited-Restaurant.  
16 Such businesses shall operate with the specified conditions in Section 202.2(a)(1).

17 It shall not be required to operate within an enclosed building so long as it is also a  
18 Mobile Food Facility. Any associated outdoor seating and/or dining area is subject to  
19 regulation as an Outdoor Activity Area as set forth elsewhere in this Code.

20 **Restaurant, Limited.** A Retail Sales and Service Use that serves ready-to-eat foods and/or  
21 drinks to customers for consumption on or off the premises, that may or may not have seating.  
22 It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on  
23 the premises as an ~~a~~ Accessory Use as set forth in Sections 204.3 or 703.2(b)(1)(C)(v)  
24 depending on the zoning district in which it is located. It includes, but is not limited to, specialty  
5 foods provided by sandwich shops, coffee houses, pizzerias, ice cream shops, bakeries,

1 delicatessens, and confectioneries meeting the above characteristics, but ~~it~~ is distinct from a  
2 Specialty Grocery, Restaurant, and a Bar. It may also operate as a Take-Out Food use. Within the  
3 North Beach SUD, it is also distinct from Specialty Food Manufacturing, as defined in Section  
4 780.3(b). It shall not provide on-site beer and/or wine sales for consumption on the premises,  
5 but may provide off-site beer and/or wine sales for consumption off the premises with a  
6 California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine), that  
7 occupy less than 15% of the Occupied Floor Area of the establishment (including all areas devoted to  
8 the display and sale of alcoholic beverages) within the accessory use limits as set forth in Section  
9 703.2(b)(1)(C)(vi). Such businesses shall operate with the specified conditions in Section  
10 202.2(a)(1).

11 \* \* \* \*

12 **Retail Sales and Service, General.** A Retail Sales and Service Use that provides goods  
13 and/or services to the general public and that is not listed as a separate Retail Sales and  
14 Service Use in this Section of the Code. This use includes, but is not limited to the sale or provision  
15 of the following goods and services:

16 (a) Personal items such as tobacco and magazines;

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

20 (c) Household goods and service (including paint, fixtures and hardware, but excluding  
21 other building materials);

22 (d) Variety merchandise, pet supply stores and pet grooming services;

23 (e) Florists and plant stores;

24 (f) Apparel and accessories;

25 (g) Antiques, art galleries, art supplies and framing service;

1            (h) Home furnishings, furniture and appliances

2            (i) Books, stationery, greeting cards, office supplies, copying service, music and sporting  
3            goods; and

4            (j) Toys, gifts, and photographic goods and services.

5  
6            **Retail Use.** A Commercial Use that includes uses that involve the sale of goods, typically in  
7            small quantities, or services directly to the ultimate consumer or end user including, but not  
8            limited to, Retail Sales and Service Uses, ~~Commercial~~ some Entertainment, Arts and  
9            Recreation Uses, and Retail Automotive Uses.

10            \* \* \* \*

11            **Sales and Services, Non-Retail.** A Commercial Use category that includes ~~u~~Uses that  
12            involve the sale of goods or services to other businesses rather than the end user, or that  
13            does not provide for direct sales to the consumer on site. Uses in this category include, but  
14            are not limited to: Business Services, Catering, ~~Laboratory, Life Science,~~ Commercial Storage,  
15            Design Professional, ~~General Office, Laboratory, Life Science,~~ Non-Retail Professional Service,  
16            ~~General Office, Trade Office,~~ Wholesale Sales, and Wholesale Storage, ~~and Trade Office.~~

17            **Sales and Services, Retail.** A Commercial Use ~~c~~category that includes ~~u~~Uses that involve  
18            the sale of goods, typically in small quantities, or services directly to the ultimate consumer or  
19            end user with some space for retail service on site, excluding Retail Entertainment Arts and  
20            Recreation, and Retail Automobile Uses and including, but not limited to: Adult Business,  
21            Animal Hospital, Bar, Cat Boarding, Chair and Foot Massage, ~~Fringe Financial Services,~~ Tourist  
22            Oriented Gift Store, General Grocery ~~Store,~~ Specialty Grocery ~~Store,~~ Gym, Hotel, Jewelry  
23            Store, Kennel, Liquor Store, Massage Establishment, ~~Chair and Foot Massage, Mobile Food~~  
24            ~~Facility,~~ Mortuary (Columbarium), Motel, Non-Auto Sales, Pharmacy, Restaurant, Limited  
25            Restaurant, General Retail Sales and Service, Financial Services, Fringe Financial Service,

1 Limited Financial Services, Health Services, ~~Motel, Personal Services,~~ Instructional Services,  
2 ~~Personal Service,~~ Retail Professional Services, Self-Storage, ~~Take-Out Food Facility,~~ Tobacco  
3 Paraphernalia ~~Establishment Store,~~ and Trade Shop.

4 \* \* \* \*

5 **Service, Philanthropic Administrative.** An Institutional Community uUse that provides  
6 executive, management, administrative, and clerical services and support related to  
7 philanthropic activities that serve non-profit institutions and organizations; such philanthropic  
8 activities may include funding and support of educational, medical, environmental, cultural,  
9 and social services institutions and organizations. Such uUses:

10 (a) may not be located on the first story of buildings where the most recent prior  
11 uUse was any uUse other than ~~r~~Residential or ~~o~~Office; and

12 (b) may be located in a single undivided space not physically separated from a  
13 ~~r~~Residential uUse; provided that:

14 (1) any Residential Conversion above the first story, associated with, or  
15 following commencement of such uUse, shall be considered a eConditional uUse requiring  
16 approval pursuant to ~~Section 703.2(b)(1)(B); and~~

17 (2) ~~any loss of Dwelling Units described in Section 317 of this Code shall require~~  
18 ~~approval as provided in Section 317.~~

19 \* \* \* \*

20 ~~Take-Out Food. Retail Sales and Service Use without seating that provides ready-to-eat food to a high~~  
21 ~~volume of customers, who carry out the food for off-premises consumption. It sells in disposable~~  
22 ~~wrappers or containers ready-to-eat food, which is prepared on the premises and generally intended~~  
23 ~~for immediate consumption off the premises.~~

24 ~~It includes, but is not limited to, delicatessens, ice cream and cookie stores, and retail bakeries.~~  
25 ~~It does not include retail grocery stores with accessory take-out food activity, as described in Section~~

1 ~~703.2(b)(1)(C) of this Code, or retail uses that sell prepackaged or bulk ready-to-eat foods with no on-~~  
2 ~~site food preparation area, such as confectionery or produce stores.~~

3 ~~It may provide off-site beer, wine, and/or liquor sales for consumption off the premises (with~~  
4 ~~ABC license 20 or 21).~~

5 \* \* \* \*

6 Use Characteristic. *A feature of a Use, related to its physical layout, location, design, access, or other*  
7 *characteristics. Use Characteristics may be regulated independently of a Use itself. Residential Use*  
8 *Characteristics include Single Room Occupancy and Student Housing. Commercial Use*  
9 *Characteristics include Drive-up Facility, Formula Retail, Hours of Operation, Maritime Use, Open*  
10 *Air Sales, Outdoor Activity, and Walk-Up Facility.*

11 \* \* \* \*

12 Variance. *An authorization to deviate from the strict application of certain Planning Code*  
13 *requirements pursuant to Section 305 of this Code.*

14  
15 **SEC. 121.1. DEVELOPMENT OF LARGE LOTS, NEIGHBORHOOD COMMERCIAL**  
16 **DISTRICTS.**

17 (a) Purpose. In order to promote, protect, and maintain a scale of development  
18 which is appropriate to each district and compatible with adjacent buildings, new construction  
19 or significant enlargement of existing buildings on lots of the same size or larger than the  
20 square footage stated in the table below shall be permitted only as eConditional uUses *subject*  
21 *to the provisions set forth in Sections 316 through 316.8 of this Code.*

District	Lot Size Limits
NC-1, NCT-1	5,000 sq. ft.
Broadway	
Castro Street	

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<i>Inner Clement Street</i>	
<i>Inner Sunset</i>	
<i>Outer Clement Street</i>	
<i>Upper Fillmore Street</i>	
<i>Haight Street</i>	
<i>North Beach</i>	
<i>Sacramento Street</i>	
<i>Union Street</i>	
<i>24th Street-Mission</i>	
<i>24th Street-Noe Valley</i>	
<i>West Portal Avenue</i>	
<i>Glen Park</i>	
<i>NC-2, NCT-2, Ocean Ave.</i>	<i>10,000 sq. ft.</i>
<i>NC-3, NCT-3, Mission Street</i>	
<i>SoMa, RCD, Folsom Street</i>	
<i>Hayes-Gough,</i>	
<i>Upper Market Street</i>	
<i>Polk Street</i>	
<i>Valencia Street</i>	<i>Not Applicable</i>
<i>NC-S</i>	
<i>NC-1, NCT-1</i>	<i>5,000 sq. ft.</i>
<i>24th Street-Mission</i>	
<i>24th Street-Noe Valley</i>	



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<u>Broadway</u>	
<u>Castro Street</u>	
<u>Glen Park</u>	
<u>Haight Street</u>	
<u>Inner Clement Street</u>	
<u>Inner Sunset</u>	
<u>Irving Street</u>	
<u>Judah Street</u>	
<u>Noriega Street</u>	
<u>North Beach</u>	
<u>Outer Clement Street</u>	
<u>Sacramento Street</u>	
<u>Taraval Street</u>	
<u>Union Street</u>	
<u>Upper Fillmore Street</u>	
<u>West Portal Avenue</u>	
<u>NC-2, NCT-2</u>	
<u>NC-3, NCT-3</u>	
<u>Divisadero Street</u>	
<u>Excelsior Outer Mission Street</u>	
<u>Fillmore Street</u>	<u>10,000 sq. ft.</u>
<u>Folsom Street</u>	
<u>Hayes-Gough</u>	
<u>Japantown</u>	

1	<u>Mission Street</u>	
2	<u>Ocean Avenue</u>	
3	<u>Pacific Avenue</u>	
4	<u>Polk Street</u>	
5	<u>Regional Commercial District</u>	
6	<u>SoMa</u>	
7	<u>Upper Market Street</u>	
8	<u>Valencia Street</u>	
9	<u>NC-S</u>	<u>Not Applicable</u>

10

11 (b) Design Review Criteria. In addition to the criteria of Section 303(c) of this Code,

12 the City Planning Commission shall consider the extent to which the following criteria are met:

13 (1) The mass and facade of the proposed structure are compatible with the

14 existing scale of the district.

15 (2) The facade of the proposed structure is compatible with design features

16 of adjacent facades that contribute to the positive visual quality of the district.

17 **SEC. 121.2. NON-RESIDENTIAL USE SIZE LIMITS IN (NON-RESIDENTIAL),**

18 **NEIGHBORHOOD COMMERCIAL AND NEIGHBORHOOD COMMERCIAL TRANSIT**

19 **DISTRICTS.**

20 (a) In order to protect and maintain a scale of development appropriate to each

21 district, Non-Residential Uses of the same size or larger than the square footage stated in the

22 table below may be permitted only as ~~e~~Conditional ~~u~~Uses ~~subject to the provisions set forth in~~

23 ~~Sections 316 through 316.6 of this Code.~~ The use area shall be measured as the Gross Floor

24 Area for each individual Non-Residential Use.

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District	Use Size Limits
<i>North Beach</i>	<i>2,000 sq. ft.</i>
<i>Castro Street</i>	
<i>Pacific Avenue</i>	
<i>Inner Clement Street</i>	<i>2,500 sq. ft.</i>
<i>Inner Sunset</i>	
<i>Outer Clement Street</i>	
<i>Upper Fillmore Street</i>	
<i>Haight Street</i>	
<i>Polk Street</i>	
<i>Sacramento Street</i>	
<i>Union Street</i>	
<i>24th Street Mission NCT</i>	
<i>24th Street Noe Valley</i>	
<i>West Portal Avenue</i>	<i>3,000 sq. ft.</i>
<i>NC-1, NCT-1</i>	
<i>Broadway</i>	
<i>Hayes Gough NCT</i>	
<i>Upper Market Street</i>	
<i>Upper Market Street NCT</i>	
<i>Valencia Street</i>	<i>4,000 sq. ft.</i>
<i>NC-2, NCT-2, SoMa NCT, Ocean</i>	
<i>Avenue NCT, Glen Park NCT,</i>	
<i>Folsom Street</i>	

1	<u>NC-3, NCT-3, Mission Street</u>	<u>6,000 sq. ft.</u>
2	<u>NC-S</u>	

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4	<u>Castro Street</u>	
5	<u>North Beach</u>	<u>2,000 sq. ft.</u>
6	<u>Pacific Avenue</u>	
7	<u>24th Street-Mission</u>	
8	<u>24th Street-Noe Valley</u>	
9	<u>Haight Street</u>	
10	<u>Inner Clement Street</u>	
11	<u>Inner Sunset</u>	
12	<u>Japantown</u>	
13	<u>Outer Clement Street</u>	<u>2,500 sq. ft.</u>
14	<u>Polk Street</u>	
15	<u>Sacramento Street</u>	
16	<u>Union Street</u>	
17	<u>Upper Fillmore Street</u>	
18	<u>West Portal Avenue</u>	
19	<u>NC-1, NCT-1</u>	
20	<u>Broadway</u>	
21	<u>Hayes-Gough</u>	<u>3,000 sq. ft.</u>
22	<u>Upper Market Street</u>	
23	<u>Valencia Street</u>	
24	<u>NC-2, NCT-2</u>	
25	<u>NC-3, NCT-3</u>	
26	<u>Divisadero Street</u>	
27	<u>Folsom Street</u>	
28	<u>Glen Park</u>	
29	<u>Irving Street</u>	<u>4,000 sq. ft.</u>
30	<u>Judah Street</u>	
31	<u>Noriega Street</u>	
32	<u>Ocean Avenue</u>	
33	<u>SoMa</u>	
34	<u>Taraval Street</u>	
35	<u>Excelsior Outer Mission Street</u>	
36	<u>Fillmore Street</u>	<u>6,000 sq. ft.</u>
37	<u>Mission Street</u>	
38	<u>NC-S</u>	

Regional Commercial District

10,000 sq. ft.

\* \* \* \*

(b) In order to protect and maintain a scale of development appropriate to each district, ~~non-Residential Uses~~ which ~~that~~ exceed the square footage stated in the table below shall not be permitted, except in the following circumstances: 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 and except that

(1) ~~In the Castro Street Neighborhood Commercial District, a Child Care Facility, School, Post-Secondary Educational Institution, Religious Institution, Social Service or Philanthropic Facility, Community Facility, or a Residential Care Facility as defined in Section 102 of this Code that is operated by a non-profit and is neighborhood-serving certain Large Institutions may by Conditional Use Authorization exceed this Subsection 121.2(b) as described in the Specific Provisions for Section 715.21 with Conditional Use authorization.~~

(2) In the Regional Commercial District, Schools and Childcare Facilities as defined in Section 102 may exceed this Subsection 121.2(b) with Conditional Use authorization.

The use area shall be measured as the ~~gross floor area~~ for each individual ~~non-Residential~~ use.

District	Use Size Limits
West Portal Avenue	
North Beach	4,000 sq. ft.
Castro Street	
<u>Regional Commercial District</u>	<u>25,000 square feet</u>

1 **SEC. 121.4. NON-RESIDENTIAL USE SIZE LIMITS ~~IN (NON-RESIDENTIAL)~~, MIXED USE**  
 2 **DISTRICTS.**

3 \* \* \* \*

4 In the Chinatown Visitor Retail District, the ~~u~~Use ~~s~~Size limit shall not apply to a  
 5 Restaurants ~~as defined in Section 790.91.~~

6 **SEC. 121.7. RESTRICTION OF LOT MERGERS IN CERTAIN DISTRICTS AND ON**  
 7 **PEDESTRIAN-ORIENTED STREETS.**

8 In order to promote, protect, and maintain a fine-grain scale of development in  
 9 residential districts and on important pedestrian-oriented commercial streets which is  
 10 appropriate to each district, compatible with adjacent buildings; provide for a diverse  
 11 streetscape; ensure the maintenance and creation of multiple unique buildings and building  
 12 frontages rather than large single structures superficially treated; promote diversity and  
 13 multiplicity of land ownership and discourage consolidation of property under single  
 14 ownership, merger of lots is regulated as follows:

Street or District	Lot Frontage Limit
Hayes, from Franklin to Laguna	50 feet
RED and RED-MX	50 feet
Church Street, from Duboce to 16th Street	100 feet
Divisadero Street NCT except for the east and west blocks between Oak and Fell, Fillmore Street NCT, Folsom Street NCT, RCD, WMUG, WMUO, and SALI	100 feet
Market, from Octavia to Noe	150 feet
Ocean Avenue in the Ocean Avenue NCT	See <del>s</del> subsection (e)

1	Inner and Outer Clement NCDs	50 feet
2	<u>North Beach NCD and SUD, and Telegraph</u>	<u>25 feet*</u>
3	<u>Hill-North Beach Residential SUD*</u>	
4	NC-2 districts on Balboa Street between 2nd	50 feet
5	Avenue and 8th Avenue, and between 32nd	
6	Avenue and 38th Avenue	

7 *\*For lots that do not have street frontage, the merger would not result in a lot with a width greater than*  
8 *25 feet.*

9 \*\*\*\*

10 **SEC. 134. REAR YARDS, R, NC, C, SPD, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-**  
11 **MX, RSD, ~~SLR~~, SLI AND SSO DISTRICTS.**

12 \* \* \* \*

13 (a) **Basic Requirements.** The basic rear yard requirements shall be as follows for  
14 the districts indicated:

15 (1) **RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-3, RC-4, NC Districts other**  
16 **than the Pacific Avenue NC District, C, M, MUG, WMUG, MUO, MUR, UMU, RED, RED-**  
17 **MX, SPD, RSD, ~~SLR~~, SLI and SSO Districts.** The minimum rear yard depth shall be equal to  
18 25% of the total depth of the lot on which the building is situated, but in no case less than 15  
19 feet. For buildings containing only SRO Units in the South of Market Mixed Use and Eastern  
20 Neighborhoods Mixed Use Districts, the minimum rear yard depth shall be equal to 25% of the  
21 total depth of the lot on which the building is situated, but the required rear yard of SRO  
22 buildings not exceeding a height of 65 feet shall be reduced in specific situations as described  
23 in subsection (c) below.

24 \* \* \* \*

1 (B) NC-2, NCT-2, Ocean Avenue, Castro Street, Divisadero Street  
2 NCT, Excelsior-Outer Mission Street, Inner Clement Street, Upper Fillmore Street, Judah  
3 Street, Noriega Street, North Beach, Taraval Street, Union Street, Valencia Street, 24th  
4 Street-Mission, Glen Park, Regional Commercial District and Folsom Street Districts. Rear  
5 yards shall be provided at the second story, and at each succeeding story of the building, and  
6 at the ~~f~~First ~~s~~Story if it contains a ~~d~~Dwelling ~~u~~Unit.

7 \* \* \* \*

8 (C) RC-3, RC-4, NC-3, NCT-3, Broadway, Fillmore Street NCT,  
9 Hayes-Gough NCT, Japantown, SoMa NCT, Mission Street NCT, Polk Street, Pacific  
10 Avenue, C, M, SPD, RSD, ~~SLR~~, SLI, SSO, MUR, MUG, MUO, and UMU Districts. Rear  
11 yards shall be provided at the lowest story containing a Dwelling Unit, and at each succeeding  
12 level or story of the building. In the Hayes-Gough NCT, lots fronting the east side of Octavia  
13 Boulevard between Linden and Market Streets (Central Freeway Parcels L, M, N, R, S, T, U,  
14 and V) are not required to provide rear yards at any level of the building, provided that the  
15 project fully meets the usable open space requirement for Dwelling Units per Section 135 of  
16 this Code, the exposure requirements of Section 140, and gives adequate architectural  
17 consideration to the light and air needs of adjacent buildings given the constraints of the  
18 project site.

19 (D) **Upper Market NCT** ~~and Upper Market NCD~~. Rear yards shall be  
20 provided at the grade level, and at each succeeding story of the building. For buildings in the  
21 Upper Market NCT that do not contain ~~r~~Residential ~~u~~Uses and that do not abut adjacent lots  
22 with an existing pattern of rear yards or mid-block open space, the Zoning Administrator may  
23 waive or reduce this rear yard requirement pursuant to the procedures of subsection (e).



1 (E) RED, RED-MX and WMUG Districts. Rear yards shall be  
2 provided at the ground level for any building containing a ~~d~~Dwelling ~~u~~Unit, and at each  
3 succeeding level or story of the building.

4 \* \* \* \*

5 **SEC. 145.1. STREET FRONTAGES IN NEIGHBORHOOD COMMERCIAL, RESIDENTIAL-**  
6 **COMMERCIAL, COMMERCIAL, AND MIXED USE DISTRICTS.**

7 \* \* \* \*

8 (c) **Controls.** The following requirements shall generally apply, except for those  
9 controls listed in subsections (1) Above Grade Parking Setback and (4) Ground Floor Ceiling  
10 Height, which only apply to a "development lot" as defined above.

11 In NC-S Districts, the applicable frontage shall be the primary facade(s) which contain  
12 customer entrances to commercial spaces.

13 \* \* \* \*

14 (4) **Ground Floor Ceiling Height.** Unless otherwise established elsewhere  
15 in this Code:

16 (A) All ~~g~~Ground floor ~~n~~Non-~~r~~Residential ~~u~~Uses in UMU Districts shall  
17 have a minimum floor-to-floor height of 17 feet, as measured from grade. Ground floor  
18 Residential Uses shall also be designed to meet the City's Ground Floor Residential Design  
19 Guidelines.

20 (B) Ground floor ~~n~~Non-~~r~~Residential ~~u~~Uses in all C-3, ~~C-M~~, NCT, DTR,  
21 Chinatown Mixed Use, RSD, SLR, SLI, SPD, SSO, RED-MX, WMUG, MUG, MUR, WMUO  
22 and MUO Districts shall have a minimum floor-to-floor height of 14 feet, as measured from  
23 grade.

24 \* \* \* \*

25 **SEC. 145.2. OUTDOOR ACTIVITY AREAS IN NC DISTRICTS.**

1 The following provisions governing oOutdoor aActivity aAreas shall apply in NC  
2 Districts.

3 In order to provide for limited commercial oOutdoor aActivity aAreas, which promote  
4 active street life, but do not detract from the livability of surrounding uses, oOutdoor aActivity  
5 aAreas, ~~as defined in Section 790.70 of this Code,~~ in NC Districts shall be regulated below, except  
6 in the Outer Clement Street Neighborhood Commercial District, where oOutdoor aActivity  
7 aAreas shall be a pPrincipal pPrincipally pPermitted uUse if they existed prior to 1985. These  
8 provisions shall not apply to those uUses excepted from the requirement for location in an  
9 enclosed building, ~~as set forth in Section 703.2(b) of this Code.~~

10 (a) An oOutdoor aActivity aArea operated by a eCommercial uUse is permitted as a  
11 pPrincipal uUse if located outside a building and contiguous to the front property line of the lot  
12 on which the eCommercial uUse is located.

13 In NC-S Districts, an oOutdoor aActivity aArea is permitted as a pPrincipal uUse if  
14 located within the boundaries of the property and in front of the primary facades which contain  
15 customer entrances and if it does not obstruct pedestrian traffic flow between store entrances  
16 and parking facilities.

17 (b) An oOutdoor aActivity aArea which does not comply with the provisions of  
18 Paragraph 1 of this ssubsection (b) is permitted as a eConditional uUse, ~~subject to the provisions~~  
19 ~~set forth in Sections 316 through 316.8 of this Code.~~

20 In addition to the criteria of Section 303(c) of this Code, the City Planning Commission  
21 shall find that:

22 (1) The nature of the activity operated in the oOutdoor aActivity aArea is  
23 compatible with surrounding uses;

24 (2) The operation and design of the oOutdoor aActivity aArea does not  
25 significantly disturb the privacy or affect the livability of adjoining or surrounding residences;

1 (3) The ~~h~~Hours of ~~e~~Operation of the activity operated in the ~~e~~Outdoor  
2 ~~a~~Activity ~~a~~Area are limited so that the activity does not disrupt the viability of surrounding uses.

3 **SEC. 145.4. REQUIRED GROUND FLOOR COMMERCIAL USES.**

4 \* \* \* \*

5 (b) **Applicability.** The requirements of this Section apply to the following street  
6 frontages.

7 \* \* \* \*

8 (24) Buchanan Street, between Post Street and Sutter Street; *and*

9 (25) Post Street, between Fillmore Street and Laguna Street on the south side and  
10 between Webster Street and Laguna Street on the north side; *and*

11 (26) Divisadero Street for the entirety of the Divisadero Street NCT District.

12 (27) The entirety of the North Beach Neighborhood Commercial District and North Beach  
13 Special Use District.

14 (c) **Definitions.**

15 "Active commercial uses" shall include those uses specifically identified below in Table  
16 145.4, and:

17 (1) Shall not include Automotive ~~u~~Uses ~~oriented to motor vehicles~~ except for  
18 ~~a~~Automobile ~~s~~Sale or ~~r~~Rental uses where curb-cuts, garage doors, or loading access are not  
19 utilized or proposed, and such sales or rental activity is entirely within an enclosed building  
20 and does not encroach on surrounding sidewalks or open spaces;

21 (2) Shall include ~~p~~Public Facilities ~~uses as defined in Section 102 and a Public~~  
22 Uses as defined in Section 890.80, except for ~~u~~Utility ~~i~~Installations; and

23 (3) Shall not include Residential Care Facilities as defined in Sections 102,  
24 ~~790.50, 790.51,~~ and 890.50

25 **Table 145.4**

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Reference for Commercial, <i>Neighborhood</i> <i>Commercial</i> , and Residential- Commercial Districts	<i>Reference for</i> <i>Neighborhood</i> <i>Commercial</i> <i>Districts</i>	Reference for Mixed Use Districts	Use
<u>N/A-102</u>	790.4	890.4	Amusement Game Arcade
102	790.6	890.6	Animal Hospital
102	790.12	890.13	Automobile Sale or Rental (see qualification, above)
102	790.22	<u>102 790.22</u>	Bar
N/A	N/A	890.23	Business Goods and Equipment Sales and Repair Service
<u>102</u>		<u>N/A</u>	<u>Chair and Foot Massage</u>
102	N/A	N/A	Child Care Facility
102	N/A	N/A	Community Facility
102	790.34	<u>102 790.34</u>	Eating and Drinking Use
102	N/A	N/A	Entertainment, General
N/A	790.38	890.37	Entertainment, Other
<u>102</u>		<u>N/A</u>	<u>Grocery, General</u>
<u>102</u>		<u>N/A</u>	<u>Grocery, Specialty</u>
102	N/A	890.39	Gift Store-Tourist Oriented
<u>102</u>		<u>N/A</u>	<u>Gym</u>

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N/A	<del>790.50, 790.51</del>	890.50	Institutions, Other (see qualification, above)
102	N/A	890.51	Jewelry Store
102	<del>790.141</del>	890.133	Medical Cannabis Dispensary
102	<del>790.68</del>	890.68	Neighborhood-Serving Business
102	N/A	890.69	Non-Auto Vehicle Sales or Rental (see qualification, above)
<del>102</del>	<del>790.70</del>	<del>890.71</del>	<del>Outdoor Activity Area</del>
<del>102</del>		N/A	<del>Pharmacy</del>
102	N/A	N/A	Post-Secondary Educational Institution
102	N/A	N/A	Public <del>Facility</del> Facilities
N/A	<del>790.80</del>	890.80	Public Use (see qualification, above)
102	N/A	N/A	Religious Institution
102	<del>790.91</del>	<del>102 790.91</del>	Restaurant
102	<del>790.90</del>	<del>102 790.90</del>	Restaurant, Limited
<del>102</del>		N/A	<del>Sales and Services, General Retail</del>
N/A	<del>790.102</del>	890.102	Sales and Services, Other Retail
<del>102</del> N/A	<del>790.104</del>	890.104	Sales and Services, Retail
102	N/A	N/A	School
102	<del>790.110</del>	890.110	Service, Financial
102	N/A	N/A	Service, Health

1	<u>102</u>		<u>N/A</u>	<u>Services, Instructional</u>
2	102	790.112	890.112	Service, Limited Financial
3	N/A	790.114	890.114	Service, Medical
4	102	790.116	890.116	Service, Personal
5				
6	<u>102</u>		<u>N/A</u>	<u>Service, Retail Professional</u>
7	<u>102</u>		<u>N/A</u>	<u>Social Service or Philanthropic Facility</u>
8	102	790.123	890.123	Tobacco Paraphernalia Establishment
9	102	790.124	890.124	Trade Shop
10	102	790.140	890.140	Walk-Up Facility

\* \* \* \*

**SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.**

\* \* \* \*

(r) **Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages.** In order to preserve the pedestrian character of certain downtown and neighborhood commercial districts and to minimize delays to transit service, garage entries, driveways or other vehicular access to off-street parking or loading (except for the creation of new publicly-accessible sStreets and aAlleys) shall be regulated on development lots as follows on the following street frontages:

(1) Folsom Street, from Essex Street to the Embarcadero, not permitted except as set forth in Section 827.

(2) Not permitted:

\* \* \* \*

1 (CC) Buchanan Street from Post Street to Sutter Street,

2 (DD) Grant Avenue between Columbus Avenue and Filbert Street,

3 (EE) Green Street between Grant Avenue and Columbus/Stockton,

4 (FF) All Alleys within the North Beach NCD and the Telegraph Hill-

5 North Beach Residential SUD.

6 \* \* \* \*

7 **SEC. 177. LEGITIMIZATION OF CERTAIN MESSAGE ESTABLISHMENTS.**

8 \* \* \* \*

9 (b) **Legitimization Program for Certain Massage Establishments.** A Massage  
10 Establishment shall be considered a ~~Legal~~ nonconforming use *Non-Conforming Use, as defined*  
11 *in Section 180*, or a ~~P~~permitted Conditional Use, and shall be authorized to continue to operate  
12 without obtaining a Conditional Use authorization from the Planning Commission, as required  
13 by Sections 102, ~~790.60~~, and 890.60 of this Code, if it meets all of the following requirements:

14 \* \* \* \*

15 (g) **Sunset.** Unless readopted, this Section 177 shall sunset 18 months after its  
16 effective date of June 27, 2015. The City Attorney is hereby authorized to direct the Publisher to  
17 delete Section 177 on or after December 27, 2016.

18 **SEC. 178. CONDITIONAL USES.**

19 \* \* \* \*

20 (c) **Enlargement, Alteration, or Intensification.**

21 \* \* \* \*

22 (3) **Formula Retail.** With regard to Formula Retail uses, a change of owner  
23 or operator of a Formula Retail establishment is determined to be an intensification of use and  
24 a new Conditional Use authorization shall be required if one or more of the following occurs:

5

1 (A) A Change of use category from one use to another, including but  
2 not limited to a change from one use to another within the use category Retail Sales and  
3 Service, and within the sub-categories of uses set forth in the definition of General Retail Sales  
4 and Service in Planning Code Sections 102.790.102 and Other Retail Sales and Service in Section  
5 890.102 of this Code;

6 \* \* \* \*

7 **SEC. 186.1. EXEMPTION OF NONCONFORMING USES IN NEIGHBORHOOD**  
8 **COMMERCIAL DISTRICTS.**

9 \* \* \* \*

10 (d) **Discontinuance.** A nonconforming use that is discontinued for a period of three  
11 years, or otherwise abandoned or changed to another use that is listed in Article 7 of this  
12 Code as a principal or conditional use for the district in which the use is located shall not be  
13 reestablished, except for in the following instances:

14 (1) In the North Beach, Castro Street, and Haight Street Neighborhood  
15 Commercial Districts the period of non-use for a nonconforming use to be deemed  
16 discontinued shall be 18 months, ~~except in the North Beach Neighborhood Commercial District, the~~  
17 ~~period of non-use for a Restaurant use, as defined in Section 790.91, to be deemed discontinued shall~~  
18 ~~be three years.~~

19 \* \* \* \*

20 **SEC. 201. CLASSES OF USE DISTRICTS.**

21 In order to carry out the purposes and provisions of this Code, the City is hereby  
22 divided into the following classes of use districts:

23 \* \* \* \*

24 **Neighborhood Commercial Districts (NC)**

25 *(Also see Article 7)*



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<b>General Neighborhood Commercial Districts</b> (Defined in Sec.702(a)(1)-f)	
NC-1	Neighborhood Commercial Cluster District (Defined in Sec. 710-f)
NC-2	Small-Scale Neighborhood Commercial District (Defined in Sec. 711-f)
NC-3	Moderate-Scale Neighborhood Commercial District (Defined in Sec. 712-f)
NC-S	Neighborhood Commercial Shopping Center District (Defined in Sec. 713-f)

<b>Named Neighborhood Commercial Districts</b> (Defined in Sec. 702(a)(1)-f)	
Broadway Neighborhood Commercial District (Defined in Sec. 714-f)	
Castro Street Neighborhood Commercial District (Defined in Sec. 715-f)	
Inner Clement Street Neighborhood Commercial District (Defined in Sec. 716-f)	
Outer Clement Street Neighborhood Commercial District (Defined in Sec. 717-f)	
Excelsior Outer Mission Neighborhood Commercial District (Defined in Sec.72045-f)	
Upper Fillmore Street Neighborhood Commercial District (Defined in Sec. 718-f)	
Haight Street Neighborhood Commercial District (Defined in Sec. 719-f)	
<del>Irving Street North Beach</del> Neighborhood Commercial District (Defined in 72240-f)	
<del>Judah Street Polk Street</del> Neighborhood Commercial District (Defined in Sec. 72342-f)	
<del>Upper Market Sacramento</del> Street Neighborhood Commercial District (Defined in Sec. 7241-f)	
<del>Noriega Union</del> Street Neighborhood Commercial District (Defined in Sec. 72539-f)	
<del>North Beach 24th Street - Noe Valley</del> Neighborhood Commercial District (Defined in Sec. 7282-f)	
<del>Pacific West Portal Avenue</del> Neighborhood Commercial District (Defined in Sec. 72932-f)	

1	<u>Polk Street- Inner Sunset</u> Neighborhood Commercial District (Defined in Sec. <u>73023.1</u> )
2	<u>Sacramento Street- Pacific Avenue</u> Neighborhood Commercial District (Defined in Sec. <u>7264.1</u> )
3	<u>Inner Sunset- Noriega Street</u> Neighborhood Commercial District (Defined in Sec. <u>7310.1</u> )
4	<u>Taraval Street- Irving Street</u> Neighborhood Commercial District (Defined in <u>73241.1</u> )
5	<u>24th Street- Noe Valley Taraval Street</u> Neighborhood Commercial District (Defined in Sec. <u>73328.1</u> )
6	
7	
8	<u>Union Street- Judah Street</u> Neighborhood Commercial District (Defined in Sec. <u>73425.1</u> )
9	
10	<u>Japantown Neighborhood Commercial District</u> (Defined in Sec. <u>721</u> )

<b>Neighborhood Commercial Transit Districts (NCT)</b> (Defined in Sec. <u>702(a)(2).1</u> )	
NCT-1	Neighborhood Commercial Transit Cluster District (Defined in Sec. <u>75033A.1</u> )
NCT-2	Small-Scale Neighborhood Commercial Transit District (Defined in Sec. <u>75134.1</u> )
NCT-3	Moderate Scale Neighborhood Commercial Transit (Defined in Sec. <u>75231.1</u> )

<b>Named Neighborhood Commercial Transit (NCT) Districts</b> (Defined in Sec. <u>702(a)(2).1</u> )	
<u>Divisadero Street Hayes- Gough</u> NCT (Defined in Sec. <u>76146</u> )	
<u>Fillmore- Valencia</u> Street NCT (Defined in Sec. <u>76247</u> )	
<u>Folsom- 24<sup>th</sup> Street - Mission</u> NCT (Defined in Sec. <u>76343.1</u> )	
<u>Glen Park- Upper Market Street</u> NCT (Defined in Sec. <u>76438.1</u> )	
<u>Hayes- Gough SoMa</u> NCT (Defined in Sec. <u>75320.1</u> )	

1 Upper Market Mission Street NCT (Defined in Sec. 75433.1)

2 Mission Street Ocean Avenue NCT (Defined in Sec. 75536.1)

3 Ocean Avenue Glen Park NCT (Defined in Sec. 75637.1)

4 Regional Commercial District Folsom Street NCT (Defined in Sec. 75744)

5 SoMa NCT Regional Commercial District (Defined in Sec. 75835.1)

6 24th Divisadero Street — Mission NCT (Defined in Sec. 75927.1)

7 Valencia Fillmore Street NCT (Defined in Sec. 76026.1)

8 \* \* \* \*

9  
10 **SEC. 202. USES PERMITTED BY THIS CODE.**

11 (a) The use limitations of this Code shall be set forth in Articles 2, 6, 7, 8, and 9 for  
12 the use districts of the City, as established by Section 201 of this Code and as shown on the  
13 Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105.  
14 The uUses permitted under this Code shall consist of the following:

15 (1) Principal uUses, as defined in Section 102 of this Code; permitted as of right in  
16 each established district where listed for that class of districts in Articles 2, 7, 8, and 9 as regulated  
17 herein and elsewhere in this Code.

18 (2) Conditional uUses, as defined in Section 102 of this Code; and permitted in  
19 each established district when authorized by the Planning Commission under Section 303 of this Code,  
20 where listed for that class of districts in Articles 2, 7, 8, and 9 and as regulated herein and elsewhere in  
21 this Code.

22 (3) Accessory uUses, as defined in Section 102 of this Code for such permitted  
23 principal and conditional uses, as defined and regulated in Sections 204 through 204.5, Section  
24 703.2(b)(1)(C), Section 803.3(b)(1)(C), Section 903(a)(3), and Section 986 of this Code. Any uUse not  
25

1 qualified ~~under such sections~~ as an accessory #Use shall be classified as a pPrincipal Use or  
2 eConditional #Use.

3 \* \* \* \*

4 **SEC. 202.1. ZONING CONTROL TABLES.**

5 \* \* \* \*

6 (d) The uses and features listed in the Zoning Control Tables in Articles 2, 7, 8, and  
7 9 are permitted in the Districts as indicated by the following symbols in the respective columns  
8 for each district:

9 \* \* \* \*

10 R: Required.

11 1st: First Story and below.

12 2nd: Second Story

13 3rd+ Third Story and above

14 \* \* \* \*

15 **SEC. 202.2. LOCATION AND OPERATING CONDITIONS.**

16 \* \* \* \*

17 (e) **Institutional Uses.** The Institutional Uses listed below shall be subject to the  
18 corresponding conditions:

19 (1) **Medical Cannabis Dispensaries.** Medical Cannabis Dispensaries are  
20 required to meet all of the following conditions:

21 (A) Medical Cannabis Dispensary shall apply for a permit from the  
22 Department of Public Health pursuant to Section 3304 of the San Francisco Health Code prior  
23 to submitting an application to the Planning Department.

24 (B) The parcel containing the Medical Cannabis Dispensary shall not  
25 be located less than 1,000 feet from a parcel containing the grounds of a use primarily serving

1 persons under 18 years of age and which consists of the following: School, public or private,  
2 or a Public Facility, Community Facility, or Private Community Facility that primarily serves  
3 ~~persons under 18 years of age~~; Smoking on the premises of a Medical Cannabis Dispensary  
4 located within 1000 feet of a School, public or private, or a Public Facility, Community Facility,  
5 or Private Community Facility that primarily serves persons under 18 years of age is not  
6 permitted.

7 \* \* \* \*

8 (f) **Residential Uses.** The Residential ~~u~~Uses listed below shall be subject to the  
9 corresponding conditions:

10 (1) **Senior Housing.** In order to qualify as Senior Housing, as defined in Section  
11 102 of this Code, a "dwelling specifically designed for and occupied by senior citizens," the following  
12 definitions shall apply and shall have the same meaning as the definitions in California Civil  
13 Code Sections 51.2, 51.3, and 51.4, as amended from time to time. These definitions shall  
14 apply as shall all of the other provisions of Civil Code Sections 51.2, 51.3, and 51.4. Any  
15 Senior Housing development specifically designed for and occupied by senior citizens must also be  
16 consistent with the Fair Housing Act, 42 U.S.C. §§ 3601-3631 and the Fair Employment and  
17 Housing Act, California Government Code Sections 12900-12996.

18 \* \* \* \*

19 (C) **Definition.** "Senior Citizen Housing Development" means a  
20 residential development developed, substantially rehabilitated, or substantially renovated for  
21 senior citizens that has at least 35 ~~d~~Dwelling ~~u~~Units. Any ~~s~~Senior ~~e~~Citizen ~~h~~Housing  
22 ~~d~~Development that is required to obtain a public report under Section 11010 of the Business  
23 and Professions Code and that submits its application for a public report after July 1, 2001,  
24 shall be required to have been issued a public report as a ~~s~~Senior ~~e~~Citizen ~~h~~Housing  
25 ~~d~~Development under Section 11010.05 of the Business and Professions Code. No housing

1 development constructed prior to January 1, 1985, shall fail to qualify as a ~~s~~Senior ~~e~~Citizen  
2 ~~h~~Housing ~~d~~Development because it was not originally developed or put to use or occupancy  
3 by senior citizens.

4 (D) **Requirements.** In order to qualify as *Senior Housing a dwelling*  
5 *specifically designed for and occupied by senior citizens for purposes of Section 209.1*, the proposed  
6 project must meet all of the following conditions:

7 \* \* \* \*

8 (ii) **Occupancy.** Each proposed ~~d~~Dwelling ~~#~~Unit must be  
9 initially put to use by senior citizens and shall be limited to the occupancy of senior citizens or  
10 other qualifying residents under Civil Code Section 51.3 for the actual lifetime of the building,  
11 regardless of whether the units will be owner-occupied or renter-occupied. The project must  
12 meet all of the requirements of Civil Code Section 51.3 including, but not limited to, the  
13 requirement that the covenants, conditions, and restrictions shall set forth limitations on  
14 occupancy, residency, and use based on age. Any such limitation shall not be more exclusive  
15 than to require that one person in residence in each ~~d~~Dwelling ~~#~~Unit may be required to be a  
16 senior citizen and that each other resident in the same ~~d~~Dwelling ~~#~~Unit may be required to be  
17 a qualified permanent resident as defined in Civil Code Section 51.3(b), a permitted health  
18 care resident as defined in Civil Code Section 51.3(b), or a person under 55 years of age  
19 whose occupancy is permitted under Civil Code Section 51.3 or Section 51.4(b). That  
20 limitation may be less exclusive but shall at least require that the persons commencing any  
21 occupancy of a ~~d~~Dwelling ~~#~~Unit include a senior citizen who intends to reside in the unit as his  
22 or her primary residence on a permanent basis. The application of the rules set forth in this  
23 Section and in State law may result over time in less than all of the ~~d~~Dwellings being actually  
24 occupied by a senior citizen.

25 \* \* \* \*

1 (iv) **Location.** The proposed project must be within a ¼ of a  
2 mile from a NCD-2 (Small-Scale Neighborhood Commercial District) zoned area or higher,  
3 including NCT and named ~~#~~Neighborhood ~~e~~Commercial districts, and must be located in an  
4 area with adequate access to services, including but not limited to transit, shopping, and  
5 medical facilities;

6 \* \* \* \*

7 (E) **Density.** For the purpose of qualifying for and receiving additional  
8 density at a density ratio or number of ~~d~~Dwelling ~~#~~Units not exceeding twice the number of  
9 ~~d~~Dwelling ~~#~~Units otherwise permitted, the project sponsor shall enter into a contract with the  
10 City acknowledging that the additional density received under Section 207(c)(3) ~~209.1(m) or (o)~~  
11 is a form of assistance specified in California Government Code Sections 65915 et seq. for  
12 purposes of Civil Code Section 1954.52(b) of the Costa-Hawkins Rental Housing Act. All such  
13 contracts must be reviewed and approved by the Mayor's Office of Housing and approved as  
14 to form by the City Attorney. All contracts that involve 100% ~~percent~~ affordable housing  
15 projects in the residential portion shall be executed by the Director of the Mayor's Office of  
16 Housing and Community Development (MOHCD). Any contract that involves less than 100%  
17 ~~percent~~ affordable housing in the residential portion, may be executed by either the Director of  
18 MOHCD the Mayor's Office of Housing or, after review and comment by the MOHCD Mayor's  
19 Office of Housing, the Director of Planning Director.

20 (g) **Other Uses.** The uses listed below are subject to the corresponding controls:

21 (1) **Small Enterprise Workspace (S.E.W.).** S.E.W.'s are subject to the  
22 following conditions:

23 \* \* \* \*

24 (D) S.E.W. projects shall provide a PDR Business Plan in accordance  
25 with the requirements of Section 210.3C of this Code ~~219.1(e)(9)~~.

1 \* \* \* \*

2 **SEC. 202.3. LIMITATION ON CHANGE IN USE OR DEMOLITION OF GENERAL**  
3 **GROCERY USE.**

4 Notwithstanding any other provision of this Article, a change in use or demolition of a  
5 General Grocery use, as *defined set forth* in Section 102 *and as further defined in Section 790.102*,  
6 which use exceeds 5,000 gross square feet shall require Conditional Use authorization  
7 pursuant to Section 303 of this Code, which shall include the findings required by Section  
8 303(l). This Section shall not authorize a change in use if the new *u*Use or *u*Uses are  
9 otherwise prohibited.

10 **SEC. 202.5. CONVERSION OF AUTOMOTIVE SERVICE STATIONS.**

11 \* \* \* \*

12 (f) **Demolition and Tank Removal.**

13 \* \* \* \*

14 (2) Notwithstanding ~~S~~subsections (f)(1)(A) and (f)(1)(B) above, if a service  
15 station is owned by a lessee of the property and the property lease was signed prior to the  
16 effective date of Ordinance 288-91, which lease permits or requires the lessee to remove the  
17 service station from the property before or after the expiration or termination of the lease, and  
18 the lease has expired or terminated or will do so within 60 days, the lessee may cease  
19 operation of the service station as permitted or required in the lease. Nothing in this provision,  
20 however, shall relieve the property owner from continued use of property as an Automotive  
21 Service Station as defined by Sections ~~102 790.17~~ and 890.18 of this Code or the  
22 requirements of ~~S~~subsection (f)(1)(A) above.

23 \* \* \* \*

24 **SEC. 204. ACCESSORY USES, GENERAL.**



1            This Section 204 Subject to the limitations set forth in this Code, and especially as specified in  
2 Sections 204.1 through 204.5, shall regulate Accessory Uses, as defined in Section 102. Any use  
3 which does not qualify as an Accessory Use shall be classified as a Principal or Conditional Use,  
4 unless it qualifies as a temporary use under Sections 205 through 205.4 of this Code. related minor use  
5 that is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use;  
6 or (b) appropriate, incidental, and subordinate to any such use; and (c) in the case of Internet Services  
7 Exchange as defined in Section 102, which use does not exceed 25,000 gross square feet of floor area  
8 or use more than two megawatts of back-up power generators, shall be permitted as an accessory use  
9 when located on the same lot, provided, however, that in the Outer Clement Neighborhood Commercial  
10 District the storage of materials for a commercial use shall be permitted as an accessory use if the  
11 storage occurred prior to 1985, if it is within 200 feet of the use to which it is accessory, if it is  
12 accessible to the principal permitted use without the use of a public sidewalk or other public right-of-  
13 way, and if the provision of storage would not conflict with the provisions of Section 145.1 relating to  
14 street frontage in N-C Districts. In PDR Districts, accessory uses to non-Office uses (as defined in  
15 Section 102) may occupy space that is non-contiguous or on a different story as the principal use so  
16 long as the accessory use is located in the same building as the principal use and complies with all  
17 other restrictions applicable to such accessory uses.

18        **SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING OR HOMELESS SHELTERS.**

19            Except for Single Room Occupancy Units in the South of Market Mixed Use Districts,  
20 the density limitations for Group Housing or Homeless Shelters, as described in Sections 102-  
21 ~~790.88(b) and (c)~~ and 890.88(b) and (c) of this Code, shall be as follows:

22            \* \* \* \*

23        **SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

24            \* \* \* \*

**Table 209.1  
ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
<b>RESIDENTIAL STANDARDS AND USES</b>						
****						
<b>Residential Uses</b>						
Residential Density, Dwelling Units <del>(6)</del> <del>(7)</del>	§ 207	One unit per lot.	P up to one unit per lot. C up to one unit per 3,000 square feet of lot area, with no more than three units per lot.	P up to one unit per lot. C up to one unit per 3,000 square feet of lot area, with no more than three units per lot.	P up to two units per lot, if the second unit is 600 square feet or less. C up to one unit per 3,000 square feet of lot area, with no more than three units per lot.	P up to two units per lot. C up to one unit per 1,500 square feet of lot area.
					P up to three units per lot. C up to one unit per 1,000 square feet of lot area.	

\*\*\*\*

**NON-RESIDENTIAL STANDARDS AND USES**

\*\*\*\*

**Sales and Service Category**

Retail Sales and Service Uses*	§ 102	NP	NP	NP	NP	NP
Hotel	§ 102	NP	NP	NP	C (4)	C (4)
<del>Mobile Food Facility</del>	<del>§ 102</del>	<del>P (5)</del>	<del>P (5)</del>	<del>P (5)</del>	<del>P (5)</del>	<del>P (5)</del>
Mortuary	§ 102	C <del>(5)(6)</del>	C <del>(5)(6)</del>	C <del>(5)(6)</del>	C <del>(5)(6)</del>	C <del>(5)(6)</del>
Non-Retail Sales and Service*	§ 102	NP	NP	NP	NP	NP

\* \* \* \*

\* Not listed below.

(1) P for Limited Commercial Uses per § 136.1(a) only; otherwise NP.

(2) C required for 15 or more children.

(3) C required for 7 or more persons.

(4) C for 5 or fewer guest rooms or suites of rooms; NP for 6 or more guest rooms.

~~(5) Use must be located on a parcel that contains a Hospital or a Post-Secondary Educational Institution, additional operating restrictions apply.~~

~~(5) (6)~~ Must be located on a landmark site, and where the site is within a Height and Bulk District of 40 feet or less, and where a columbarium use has lawfully and continuously operated since the time of designation.

~~(6) (7)~~ Construction of Accessory Dwelling Units may be permitted pursuant to Section 207(c)(4).

**Table 209.2  
ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§	RM-1	RM-2	RM-3	RM-4
	References				
* * * *					
<b>RESIDENTIAL STANDARDS AND USES</b>					
* * * *					

<b>Residential Uses</b>					
Residential Density, Dwelling Units <del>(7)</del> <del>(8)</del>	§ 207	Up to one unit per 800 square feet of lot area.	Up to one unit per 600 square feet of lot area.	Up to one unit per 400 square feet of lot area.	Up to one unit per 200 square feet of lot area. <del>(8)</del> <del>(9)</del>
Senior Housing	§§ 102, 202.2(f)	<p>P up to twice the number of dwelling units otherwise permitted as a <u>P</u>Principal <u>U</u>se in the district and meeting all the requirements of § 202.2(f)(1).</p> <p>C up to twice the number of dwelling units otherwise permitted as a <u>P</u>Principal <u>U</u>se in the district and meeting all requirements of Section § 202.2(f)(1) except for § 202.2(f)(1)(D)(iv), related to location.</p>			
Residential Density, Group Housing	§ 208	P <del>(6)</del> <del>(7)</del> , Up to one bedroom for every 275 square feet of lot area.	P <del>(6)</del> <del>(7)</del> , Up to one bedroom for every 210 square feet of lot area.	P <del>(6)</del> <del>(7)</del> , Up to one bedroom for every 140 square feet of lot area.	P <del>(6)</del> <del>(7)</del> , Up to one bedroom for every 70 square feet of

1 2 3	Homeless Shelter	§§ 102, 208	P	P	P	P
-------------	------------------	-------------	---	---	---	---

**NON-RESIDENTIAL STANDARDS AND USES**  
\*\*\*\*

6 7 8 9	Retail Sales and Service Uses*	§ 102	NP	NP	NP	NP
10	Hotel	§ 102	NP	NP	NP	C
11 12	Mobile Food Facility	§ 102	<del>P (5)</del>	<del>P (5)</del>	<del>P (5)</del>	<del>P (5)</del>
13 14 15	Mortuary	§ 102	<del>C (5) (6)</del>	<del>C (5) (6)</del>	<del>C (5) (6)</del>	<del>C (5) (6)</del>
16	****	****	****	****	****	****

- 17  
18  
19  
20  
21  
22  
23  
24  
25
- \*\*\*\*
- \* Not listed below.
- (1) P for Limited Commercial Uses per § 136.1(a) only, otherwise NP.
- (2) C required for 15 or more children.
- (3) C required for 7 or more persons.
- (4) C for 5 or fewer guest rooms or suites of rooms; NP for 6 or more guest rooms.
- ~~(5) Use must be located on a parcel that contains a Hospital or a Post-Secondary Educational Institution, additional operating restrictions apply.~~

~~(5)~~ ~~(6)~~ Must be located on a landmark site, and where the site is within a Height and Bulk District of 40 feet or less, and where a columbarium use has lawfully and continuously operated since the time of designation.

~~(6)~~ ~~(7)~~ C required if the Group Housing is affiliated with and operated by a Hospital or an Institutional Educational Use as defined in Section 102.

~~(7)~~ ~~(8)~~ Construction of Accessory Dwelling Units may be permitted pursuant to Section 207(c)(4).

~~(8)~~ ~~(9)~~ For purposes of this calculation, a Dwelling Unit in this district containing no more than 500 square feet of net floor area and consisting of not more than one habitable room in addition to a kitchen and a bathroom may be counted as equal to three-quarters of a Dwelling Unit.

**Table 209.3  
ZONING CONTROL TABLE FOR RESIDENTIAL-COMMERCIAL DISTRICTS**

\* \* \* \*

Zoning Category	§ References	RC-3	RC-4
<b><i>NON-RESIDENTIAL STANDARDS AND USES</i></b>			
<b><i>Use Characteristics</i></b>			
Drive-up Facility	§ 102	NP	NP
Formula Retail	§§ 102, 303.1	C	C
<i>Maritime Use</i>	<i>§ 102</i>	<i>NP</i>	<i>NP</i>
Open Air Sales	§ 102	NP	NP

Outdoor Activity Area	§ 102	P (1)	P (1)
Walk-up Facility	§ 102	P	P
<i>Waterborne Commerce</i>	<i>§ 102</i>	<i>NP</i>	<i>NP</i>

\* \* \* \*

(4) C required if located on the second floor or above. *NP above second floor.*

\* \* \* \*

**Table 210.1  
ZONING CONTROL TABLE FOR C-2 DISTRICTS**

Zoning Category	§ References	C-2
<b>NON-RESIDENTIAL STANDARDS AND USES</b>		
****		
<b>Commercial Use Characteristics</b>		
Drive-up Facility	§ 102	P
Formula Retail	§§ 102, <u>303.1</u>	P
<i>Maritime Use</i>	<i>§ 102</i>	<i>P</i>
Open Air Sales	§ 102	NP
Outdoor Activity Area	§ 102	P
Walk-up Facility	§ 102	P
<i>Waterborne Commerce</i>	<i>§ 102</i>	<i>P</i>

\* \* \* \*

**Table 210.2  
ZONING CONTROL TABLE FOR C-3 DISTRICTS**

1 Zoning Category § References C-3-O C-3-O(SD) C-3-R C-3-G C-3-S

2 **NON-RESIDENTIAL STANDARDS AND USES**

3

4 \*\*\*\*

5 **Commercial Use Characteristics**

6 Drive-up Facility	§ 102	NP	NP	NP	NP	NP
7 Formula Retail	§§ 102, 303.1	P	P	P	P (6)	P
8 <i>Maritime Use</i>	<i>§ 102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
9 Open Air Sales	§ 102	P	P	P	P	P
10 Outdoor Activity Area	§ 102	P	P	P	P	P
11 Walk-up Facility	§ 102	P	P	P	P	P
12 <i>Waterborne Commerce</i>	<i>§ 102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>

13 \* \* \* \*

14 **Table 210.3**

15 **ZONING CONTROL TABLE FOR PDR DISTRICTS**

16 Zoning Category § References PDR-1-B PDR-1-D PDR-1-G PDR-2

17 \*\*\*\*

18 **NON-RESIDENTIAL STANDARDS AND USES**

19 \*\*\*\*

20 **Commercial Use Characteristics**



1	Drive-up Facility	§ 102	P	P	P	P
2						
3	Formula Retail	§§ 102, 303.1, 786	P (17)	P	P	P (17)
4						
5	<i>Maritime Use</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>
6	Open Air Sales	§ 102	P	P	P	P
7						
8	Outdoor Activity Area	§ 102	P	P	P	P
9						
10	Small Enterprise Workspace	§§ 102, 202.2(g)	NP	P	P	NP
11						
12	Walk-up Facility	§ 102	P	P	P	P
13						
14	<i>Waterborne Commerce</i>	<u>§ 102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>
15						

\* \* \* \*

Table 210.4  
ZONING CONTROL TABLE FOR M DISTRICTS

Zoning Category	§ References	M-1	M-2
<b>NON-RESIDENTIAL STANDARDS AND USES</b>			
* * * *			
<i>Commercial Use Characteristics</i>			
Drive-up Facility	§ 102	C	C

1	Formula Retail	§§ 102, 303.1, 786	P (2)	P (2)
2				
3	<i>Maritime Use</i>	§ 102	<i>P</i>	<i>P</i>
4				
5	Open Air	§ 102	P	P
6	Sales			
7	Outdoor	§ 102	P	P
8	Activity Area			
9	Walk-up	§ 102	P	P
10	Facility			
11				
12	<i>Waterborne</i>	§ 102	<i>P</i>	<i>P</i>
13	<i>Commerce</i>			

14 \* \* \* \*

15 **SEC. 231. LIMITED CORNER COMMERCIAL USES IN RTO AND RM DISTRICTS.**

16 \* \* \* \*

17 (b) **Location.** Uses permitted under this section must be located:

18 (1) completely within an RTO, RTO-M, RM-3, or RM-4 District;

19 (2) on or below the ground floor; and

20 (3) in RTO Districts, on a *e*Corner *l*Lot *as defined by Section 102.15*, with no part  
21 of the use extending more than 50 feet in depth from said corner, as illustrated in Figure 231.

22 [Figure 231 not included but not deleted]

23 (4) in RM-3, RM-4 and RTO-M Districts, on a *e*Corner *l*Lot *as defined in Section*  
24 *102.15*, with no part of the use extending more than 100 feet in depth from said corner.

1 (c) **Permitted Uses.** Any use is permitted which complies with the most restrictive  
2 use limitations for the ~~f~~First ~~s~~Story and below of the nearest NCD, as set forth in Article 7, or  
3 an NC-1 District, as set forth in Sections ~~710.10 through 710.95~~ of this Code.

4 (d) **Use Size.** No more than 1,200 ~~occupied~~ square feet of Occupied Floor Area of  
5 commercial area in a RTO District and no more than 2,500 occupied square feet of  
6 ~~e~~Commercial Use area in a RM-3, RM-4 or RTO-M District shall be allowed per ~~e~~Corner Lot,  
7 except those lots which occupy more than one corner on a given block and which may provide  
8 an additional 1,200 ~~occupied~~ square feet of Occupied Floor Area of eCommercial Use area per  
9 additional corner, so long as the commercial space is distributed equitably throughout  
10 appropriate parts of the parcel or project.

11 \* \* \* \*

12 **SEC. 249.35A. FULTON STREET GROCERY STORE SPECIAL USE DISTRICT.**

13 \* \* \* \*

14 (d) **Controls.** The following controls apply to projects meeting the criteria of  
15 subsection (c) and to any subsequent alterations or changes of use in a building approved  
16 under this Section.

17 \* \* \* \*

18 (4) All subsequent changes of use shall require Conditional Use  
19 authorization from the Planning Commission. The only ~~n~~Non-~~r~~Residential ~~u~~Uses that may be  
20 permitted in the space initially approved for a grocery store shall include Trade Shop (~~Planning~~  
21 ~~Code Section 790.124~~), Institutional Uses, excluding Medical Cannabis Dispensaries, Hospitals and  
22 Philanthropic Administrative Services Other Institutions, Large (Planning Code Section 790.50),  
23 Other Institutions, Small (Planning Code Section 790.51), and Public Use (Planning Code Section  
24 790.80), except that Other General Retail Sales and Services, (Planning Code Section 790.102)

1 Pharmacy, or Specialty Grocery uses may be permitted provided that no individual tenant  
2 occupies more than 3,000 square feet of ~~g~~Gross ~~f~~Floor ~~a~~Area.

3 \* \* \* \*

4  
5 **SEC. 249.40A. SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT.**

6 \* \* \* \*

7 (c) **Controls.**

8 For the entire Special Use District, all provisions of the Planning Code shall  
9 continue to apply, except for the following:

10 (1) The following uses shall require a Conditional Use authorization, pursuant  
11 to Section 303, unless the underlying zoning is more restrictive:

- 12 (A) Religious facilities, as defined in Sec. 890.50(d);
- 13 (B) Bars, as defined in Sec. ~~102 790.22~~;
- 14 (C) Liquor ~~s~~Stores, as defined in Sec. ~~102 790.55~~;
- 15 (D) Amusement arcades, as defined in Sec. 890.4;
- 16 (E) Restaurants, as defined in Sec. ~~102 790.91~~;
- 17 (F) Adult entertainment, as defined in Sec. 890.36;
- 18 (G) Other entertainment, as defined in Sec. 890.37;
- 19 (H) Movie theatres, as defined in Sec. 890.64;
- 20 (I) Parking lots, as defined in Sections 890.7, 890.9, and 890.11; and
- 21 (J) Parking garages, as defined in Sections 890.8, 890.10, and

22 890.12.

23 (2) The Land Dedication alternative is available for any project of 55 feet or  
24 more under the same terms and conditions as provided for in Section 419 et seq.

1 (3) In addition to the controls above, the following provisions shall apply to all  
2 properties that are not tangent to the following streets: Howard Street, Harrison Street.  
3 Folsom Street, 4th, 5th, 6th and 7th Streets: Any project subject to Section 415 et seq. in  
4 excess of 45 feet in height within this Special Use District shall be subject to the Tier C  
5 affordable housing requirements of Sections 419 et seq.

6 \* \* \* \*

7 **SEC. 249.60. MISSION ALCOHOLIC BEVERAGE SPECIAL USE DISTRICT.**

8 \* \* \* \*

9 (a) **Prohibition of New Liquor Stores.** No new Liquor Store, *as defined in Sections*  
10 *102 and 790.55 of this Code,* shall be permitted in the SUD, except that an existing Liquor Store  
11 may relocate pursuant to subsection (c) below.

12 (b) **Allowed Alcohol-related Uses.** Certain uses which are not likely to generate  
13 negative impacts on the surrounding area shall be allowed within the SUD as set forth below:

14 (1) The following uses shall be eligible for liquor licenses transferred from  
15 within the SUD as well as licenses transferred from outside the SUD:

16 (A) **Bona Fide Eating Places.** A Restaurant Use, *as defined in Section*  
17 *790.91 of this Code,* operating as a Bona Fide Eating Place, *as defined in Section 790.142,* shall  
18 be permitted to serve alcoholic beverages in this SUD.

19 (B) **Non-Profit Theaters.** A non-profit theater shall be permitted to  
20 serve alcoholic beverages in this SUD. A "non-profit theater" shall mean a building or part of a  
21 building intended to be used for the specific purposes of presenting any act, play, revue,  
22 pantomime, scene, song, dance act, or song and dance act, conducted or participated in by  
23 one or more persons, whether or not such person or persons are compensated for such  
24 performance, and which is exempted from payment of income tax under Section 23701d of  
25 the California Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue

1 Code of the United States. A "non-profit theater" shall not include any dance hall, as defined  
2 in Section 1022 of the ~~San Francisco~~ Police Code, a billiard parlor, pool hall, bowling alley, or  
3 ~~a~~Adult entertainment ~~b~~Business as defined in Section 790.36 of this Code.

4 (C) **Bowling Alleys and Mini-Golf Courses.** A bowling alley or a  
5 mini-golf course shall be permitted to serve alcoholic beverages along with any Restaurant  
6 use which is functionally and/or physically integrated with such bowling alley or mini-golf  
7 course. ~~Other~~ General Entertainment uses, as defined in Section 790.38, but excluding those uses  
8 that require a Place of Entertainment permit, shall be permitted to serve alcoholic beverages  
9 along with any Restaurant use which is functionally and/or physically integrated with such  
10 ~~Other~~ General Entertainment use.

11 (D) **Single Screen Movie Theaters.** A single screen ~~m~~Movie ~~t~~Theater  
12 shall be permitted to serve alcoholic beverages, provided that (i) such use ~~is defined as a movie~~  
13 ~~theater in Section 790.64 of this Code and~~ contains only a single screen and auditorium, (ii) only  
14 beer and wine are offered for consumption, and (iii) such beer and wine are: ~~(aa)~~a. only  
15 consumed on the premises and primarily in the main theater auditorium, ~~(bb)~~b. only sold and  
16 consumed by ticketholders and only immediately before and during performances, and ~~(cc)~~c.  
17 only offered in conjunction with the screening of films and not as an independent element of  
18 the establishment that is unrelated to the viewing of films.

19 (2) The following uses shall be eligible for liquor licenses transferred from  
20 within the district:

21 (A) General Groceries ~~as defined in Section 790.102 (a) of this Code~~ or  
22 Specialty Groceries, ~~as defined in Section 790.102 (b)~~ that are 5,000 square feet or smaller ~~so~~  
23 ~~long as the percentage of gross square footage devoted to alcohol sales is consistent with the limits set~~  
24 ~~forth in Section 703.2(b)(1)(C)(vi).~~ Such use shall require a Conditional Use authorization and  
25 shall be limited to a Type 20 Liquor License for Specialty Groceries and General Groceries,

1 except that such use shall not sell a single beer or malt beverage in a container size of 24 oz.  
2 or smaller, or sell any malt beverage with an alcohol content greater than 5.7% by volume; or  
3 any wine in a container size less than 375 ml or with an alcohol content of greater than 15%  
4 by volume, except for "dinner wines" that have been aged two years or more and maintained  
5 in a corked bottle.

6 (B) General Groceries *as defined in Section 790.102 (a) of this Code* or  
7 Specialty Groceries, *as defined in Section 790.102 (b)* that are greater than 5,000 square feet.  
8 *Such use shall require a Conditional Use authorization and shall be subject to the limitations set forth*  
9 *in Section 790.55 of this Code.*

10 (C) A new or relocated Bar, *as defined in Section 790.22*, shall be  
11 considered pursuant to the underlying zoning, except that such authorization shall be as a  
12 Conditional Use. A new Bar shall use a liquor license transferred from another Bar from within  
13 the SUD.

14 \* \* \* \*

15 (d) **Good Neighbor Policies.** The operating conditions established in Section 202.2  
16 703.5 of this Code shall apply to all liquor establishments in this SUD in order to maintain the  
17 safety and cleanliness of the premises and vicinity. In addition, all new, relocated, or  
18 expanded liquor establishments, and any liquor establishment with a license referred for  
19 review to the Planning Department by the State of California Department of Alcohol Beverage  
20 Control, shall comply with the requirements set forth below. Liquor establishment shall have  
21 the meaning set forth in subsection (c) above.

22 \* \* \* \*

23 **SEC. 249.64. PARKMERCED SPECIAL USE DISTRICT.**

24 \* \* \* \*

1           **(b) Development Controls.** Development in the Parkmerced Special Use District  
2 shall be regulated by the controls contained in the Parkmerced Design Standards and  
3 Guidelines, as adopted by the Planning Commission and periodically amended, except for  
4 those controls specifically enumerated in this Section. Where not explicitly superseded by  
5 definitions established in the Parkmerced Design Standards and Guidelines, the definitions in  
6 this Code shall apply. All procedures and requirements in Article 3 shall apply to development  
7 in this Special Use District to the extent that they are not in conflict with this Special Use  
8 District or the Development Agreement, approved by the Board of Supervisors in Ordinance  
9 No. 89-11. The Planning Commission may amend the Parkmerced Design Standards and  
10 Guidelines upon initiation by the Planning Department or upon application by an owner of  
11 property within Parkmerced (or his or her authorized agent) to the extent that such  
12 amendments are consistent with this Special Use District, the General Plan, and the approved  
13 Development Agreement.

14           \* \* \* \*

15           **(2) Uses.**

16           **(A) Principally Permitted Uses.** The following uses are principally  
17 permitted:

18                           **(i) Parkmerced Residential (PM-R).** ~~Residential~~ dWelling  
19 ~~u~~Units; ~~l~~ive/~~w~~ork ~~u~~Units, provided any such ~~l~~ive/~~w~~ork ~~u~~Unit is intended for small home  
20 business; community gathering spaces such as community rooms and kitchens, business  
21 centers, recreation facilities, and art facilities; and ~~e~~Child ~~e~~Care ~~f~~Facilities not larger than 5,000  
22 occupied square feet;

23                           **(ii) Parkmerced Mixed Use – Social Heart (PM-MU1).** All  
24 uses permitted in PM-R; locally serving ~~r~~etail Sales and ~~s~~ervices uses not larger than 15,000  
25 occupied square feet per business establishment; one ~~full-service~~ General gGrocery ~~s~~Store not



1 larger than 50,000 occupied square feet; and Business Service, Design pProfessional, ~~medical~~  
2 and Non-Retail Professional Service Uses ~~business-offices~~, provided such ~~professional, medical or~~  
3 ~~business-office~~ Non-Retail uUses shall not exceed 10,000 occupied square feet per business if  
4 located on the ground floor of any building;

5 (iii) **Parkmerced Mixed Use – Neighborhood Commons (PM-**  
6 **MU2).** All uses permitted in PM-R; locally serving ~~r~~Retail Sales and ~~s~~Services Uses not larger  
7 than 5,000 occupied square feet per business establishment; and Business Service, Design  
8 ~~p~~Professional, medical and Non-Retail Professional Service Uses ~~business-offices~~ not larger than  
9 5,000 occupied square feet per business, provided that such use does not occupy more than  
10 2,000 occupied square feet per business establishment on the ground floor;

11 (iv) **Parkmerced School (PM-S).** Child ~~e~~Care ~~f~~Facilities, pre-  
12 schools and one elementary school; all uses permitted in PM-R provided at least 25,000  
13 square feet of the above ~~s~~School uses have been constructed or approved within the district.  
14 Pursuant to this zoning designation, child care facilities, pre-schools and elementary school  
15 uses shall provide direct access to adjacent, dedicated public open spaces;

16 (v) **Parkmerced Community/Fitness (PM-CF).** Recreation  
17 facilities, spas, physical fitness facilities and other health and wellness related uses;  
18 community gathering spaces such as community rooms and kitchens, business centers,  
19 recreation facilities and art facilities; and retail intended to support community/fitness  
20 activities, provided such use does not exceed 1,000 occupied square feet per business  
21 establishment; and

22 (vi) **Parkmerced Open Space (PM-OS).** Publicly-accessible  
23 open space and other open space amenities as specifically established in the Parkmerced  
24 Design Standards and Guidelines, including: neighborhood commons; parks and passive  
25 open space; plazas; recreational space including playgrounds and sports fields; Large-Scale

1 Urban Agriculture or Neighborhood Agriculture farms; one ~~r~~Restaurant or Limited Restaurant not  
2 exceeding 3,500 occupied square feet on Block 23 (as designated in the Parkmerced Design  
3 Standards and Guidelines); farmer's markets; and farm support uses and food sales  
4 accessory to on-site agriculture. Up to three retail kiosks are permitted on each of Juan  
5 Bautista Circle and the land designated as a farm on Block 23 (each as designated and  
6 described in Parkmerced Design Standards and Guidelines), provided each such kiosk does  
7 not exceed 200 square feet. Up to four retail kiosks not exceeding 500 square feet each and  
8 an aggregate total of 1,000 square feet, along with a retail bicycle shop not exceeding 3,200  
9 square feet are permitted on Block 17 (as designated in the Parkmerced Design Standards  
10 and Guidelines and also referred to as the "Transit Plaza").

11 \* \* \* \*

12 (C) **Prohibited Uses.** The following uses shall be prohibited within this  
13 Special Use District: ~~d~~Drive-Up through Facility facilities; ~~a~~Adult Business entertainment; and  
14 ~~g~~General ~~a~~Advertising Sign. Notwithstanding Sections (b)(1)(A) and (b)(1)(B) above, any ~~n~~Non-  
15 ~~r~~Residential ~~u~~Use that could pose a nuisance to surrounding ~~r~~Residential ~~u~~Uses shall be  
16 prohibited.

17 \* \* \* \*

18 (5) **Off-Street Automobile Parking.** There is no minimum off-street parking  
19 requirement for any use in this Special Use District. Upon completion of the Parkmerced  
20 Project, the number of off-street parking spaces within this Special Use District shall not  
21 exceed: one parking space per ~~r~~residential ~~d~~Dwelling ~~u~~Unit; one parking space per 500 square  
22 feet of occupied General ~~g~~Grocery store use; one parking space per 1,000 square feet of  
23 occupied ~~s~~School, ~~f~~fitness or ~~e~~Community Facility center-use; and one parking space per 750  
24 square feet of occupied space for all other ~~n~~Non-~~r~~Residential ~~u~~Uses. Because the Project will  
25 be built in phases, any off-street parking constructed that would cause the cumulative off-

1 street parking in the Special Use District to exceed these ratios may not be used for parking  
2 and shall be physically cordoned off to preclude parking use of such spaces (including  
3 prohibition of the commercial or public rental of such spaces on a daily, weekly, monthly or  
4 annual basis) until such time as sufficient additional development is completed to bring the  
5 overall parking ratios in conformance with the applicable ratio. At Project completion, the ratio  
6 for off-street parking constructed shall not exceed the above ratios or the following total  
7 amounts, whichever is less: 8,900 residential spaces; and 550 non-residential spaces.

8 (6) **Usable Open Space Requirements for Dwelling Units.** Usable open  
9 space meeting the standards of Section 135 of this Code shall be provided for each *dDwelling*  
10 *#Unit* in the following ratios: 36 square feet if private or 48 square feet if common. In no event  
11 shall any space in a public right-of-way, publicly-accessible "paseo" (as defined in the  
12 Parkmerced Design Standards and Guidelines), or public open space required by the  
13 Development Agreement, including Juan Bautista Circle, the Transit Plaza, the Farm, the  
14 Sports Fields, Belvedere Gardens, the Neighborhood Commons or the Community Gardens  
15 (each as more specifically defined in the Parkmerced Design Standards and Guidelines), be  
16 counted in satisfaction of the requirements of this subsection *(b)(6)*.

17 \* \* \* \*

18 (d) **Project Review and Approval.**

19 \* \* \* \*

20 (8) **Demolition of Dwelling Units.** No mandatory discretionary review or  
21 Conditional Use authorization pursuant to Section 317 shall be required for the demolition of  
22 any *residential dDwelling #Unit* within the Parkmerced Special Use District.

23 \* \* \* \*

24 **SEC. 253.1. REVIEW OF PROPOSED BUILDINGS AND STRUCTURES IN THE**  
25 **BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.**

1 (a) In the 65-A-1 Height and Bulk District, as designated on Sectional Map HT-01 HH  
2 of the Zoning Map, any new or expanding building or structure exceeding 40 feet in height  
3 shall be permitted as a eConditional #Use only upon approval by the City Planning  
4 Commission *according to the provisions in Sections 316 through 316.8 of this Code*. The height of  
5 the building or structure so approved by the City Planning Commission shall not exceed 65  
6 feet.

7 (b) In authorizing any such proposal for a building or structure exceeding 40 feet in  
8 height, the City Planning Commission shall find, *that* in addition to the criteria of Section  
9 303(c), that the proposal is consistent with the expressed purposes of this Code, of the  
10 Broadway Neighborhood Commercial District, and of the height and bulk districts, set forth in  
11 Sections 101, 714.1, and 251 *of this Code hereof* and that the following criteria *area are* met:

12 (1) The height of the new or expanding development will be compatible with  
13 the individual neighborhood character and the height and scale of the adjacent buildings.

14 (2) ~~When the height of the new or expanding development exceeds twice the~~  
15 ~~existing height of adjacent buildings, transitions will be provided between the taller and shorter~~  
16 ~~buildings.~~

17 (3) The height and bulk of the new or expanding development will be  
18 designed to allow maximum sun access to nearby parks, plazas, and major pedestrian  
19 corridors.

20 **SEC. 253.3. REVIEW OF PROPOSED BUILDINGS AND STRUCTURES ABOVE 26 FEET**  
21 **NOT EXCEEDING 40 FEET IN THE NC-S/LAKESHORE PLAZA SPECIAL USE DISTRICT.**

22 (a) In the 26-40-X Height and Bulk District, as designated on Sectional Map HT13H  
23 of the Zoning Map, any new or expanding building or structure exceeding 26 feet in height  
24 shall be permitted as a eConditional #Use only upon approval by the City Planning  
25 Commission *according to the provisions in Section 316 through 316.8 of this Code*. The height of

1 any building or structure so approved by the ~~City~~ Planning Commission shall not exceed 40  
2 feet.

3 (b) In authorizing any such proposal for a building or structure exceeding 26 feet in  
4 height, the ~~City~~ Planning Commission shall find that, in addition to the criteria of Section  
5 303(c), the proposal is consistent with the expressed purposes of this Code, the NC-S District,  
6 the Lakeshore Plaza Special Use District, and the height and bulk districts as set forth  
7 respectively in Sections 101, 713-~~I~~, 780-~~I~~ and 251 *of this Code hereof*.

8 **SEC. 260. HEIGHT LIMITS: MEASUREMENT.**

9 \* \* \* \*

10 (b) **Exemptions.** In addition to other height exceptions permitted by this Code, the  
11 features listed in this ~~S~~subsection (*b*) shall be exempt from the height limits established by this  
12 Code, in an amount up to but not exceeding that which is specified.

13 \* \* \* \*

14 (2) The following features shall be exempt, without regard to their horizontal  
15 area, provided the limitations indicated for each are observed:

16 \* \* \* \*

17 (P) Enclosed recreational facilities up to a height of 10 feet above the  
18 otherwise applicable height limit when located within a 65-U Height and Bulk District and  
19 either an MUO or SSO District, and only then when authorized by the Planning Commission  
20 as a ~~e~~Conditional ~~u~~Use pursuant to Sections 303 ~~and 316~~ of this Code, provided that the  
21 project is designed in such a way as to reduce the apparent mass of the structure above a  
22 base 50 foot building height.

23 \* \* \* \*

24 **SEC. 263.11. SPECIAL HEIGHT EXCEPTIONS: SOUTH OF MARKET RSD 40-X/85-B**  
25 **HEIGHT DISTRICT.**

1 (a) **General.** In the 40-X/85-B Height and Bulk District, as designated on Sectional  
2 Map No. ~~HT01~~ ~~HH~~ of the Zoning Map, located within the boundaries of the South of Market  
3 RSD District, height exceptions above the 40-foot base height to a maximum of 85 feet may  
4 be approved in accordance with the ~~e~~Conditional ~~u~~Use procedures and criteria provided in  
5 Sections ~~303 and 316~~ of this Code, and the criteria and conditions set forth below.

6 \* \* \* \*

7 **SEC. 303. CONDITIONAL USES.**

8 (a) **General.** The Planning Commission shall hear and make determinations  
9 regarding applications for the authorization of ~~e~~Conditional ~~u~~Uses in the specific situations in  
10 which such authorization is provided for elsewhere in this Code. The procedures for  
11 ~~e~~Conditional ~~u~~Uses shall be as specified in this Section and in Sections 306 through 306.6,  
12 except that Planned Unit Developments shall in addition be subject to Section 304, *Hospitals*  
13 *medical institutions* and ~~p~~Post-~~s~~Secondary ~~e~~Educational ~~i~~Institutions shall in addition be subject  
14 to the ~~i~~Institutional ~~m~~Master ~~p~~Plan requirements of Section 304.5, ~~and conditional use and~~  
15 ~~Planned Unit Development applications filed pursuant to Article 7, or otherwise required by this Code~~  
16 ~~for uses or features in Neighborhood Commercial Districts, and conditional use applications within~~  
17 ~~South of Market Districts, shall be subject to the provisions set forth in Sections 316 through 316.8 of~~  
18 ~~this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this Code, with respect to~~  
19 ~~scheduling and notice of hearings, and in addition to those provided for in Sections 306.4 and 306.5 of~~  
20 ~~this Code, with respect to conduct of hearings and reconsideration.~~

21 (b) **Initiation.** A ~~e~~Conditional ~~u~~Use action may be initiated by application of the  
22 owner, or authorized agent for the owner, of the property for which the ~~e~~Conditional ~~u~~Use is  
23 sought. For a ~~e~~Conditional ~~u~~Use application to relocate a ~~g~~General ~~a~~Advertising ~~s~~Sign under  
24 subsection (I) below, application shall be made by a ~~g~~General ~~a~~Advertising ~~s~~Sign company that  
25

1 has filed a Relocation Agreement application and all required information with the Planning  
2 Department pursuant to Section 2.21 of the San Francisco Administrative Code.

3 (c) **Determination.** After its hearing on the application, or upon the  
4 recommendation of the Director of Planning ~~if the application is filed pursuant to Sections 316~~  
5 ~~through 316.8 of this Code and that~~ no hearing is required, the Planning Commission shall  
6 approve the application and authorize a eConditional uUse if the facts presented are such to  
7 establish that:

8 (d) **Conditions.** When considering an application for a eConditional uUse as  
9 provided herein with respect to applications for development of "dwellings" as defined in  
10 Chapter 87 of the ~~San Francisco~~ Administrative Code, the Commission shall comply with that  
11 Chapter which requires, among other things, that the Commission not base any decision  
12 regarding the development of "dwellings" in which "protected class" members are likely to  
13 reside on information which may be discriminatory to any member of a "protected class" (as  
14 all such terms are defined in Chapter 87 of the ~~San Francisco~~ Administrative Code). In addition,  
15 when authorizing a eConditional uUse as provided herein, the Planning Commission, or the  
16 Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those  
17 specified in this Code, as are in its opinion necessary to secure the objectives of the Code.  
18 Once any portion of the eConditional uUse authorization is utilized, all such conditions  
19 pertaining to such authorization shall become immediately operative. The violation of any  
20 condition so imposed shall constitute a violation of this Code and may constitute grounds for  
21 revocation of the eConditional uUse authorization. Such conditions may include time limits for  
22 exercise of the eConditional uUse authorization; otherwise, any exercise of such authorization  
23 must commence within a reasonable time.

24 (e) **Modification of Conditions.** Authorization of a change in any condition  
25 previously imposed in the authorization of a eConditional uUse shall be subject to the same

1 procedures as a new eConditional #Use. Such procedures shall also apply to applications for  
2 modification or waiver of conditions set forth in prior stipulations and covenants relative  
3 thereto continued in effect by the provisions of Section 174 of this Code.

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

18 (1) **Public Hearing.** The Director of Planning or the Planning Commission  
19 may seek schedule a public hearing on eConditional #Use abatement when the Director or  
20 Commission has obtained or received (A) substantial evidence submitted within one year of  
21 the effective date of the Conditional Use authorization that the applicant for the eConditional  
22 #Use had submitted false or misleading information in the application process that could have  
23 reasonably had a substantial effect upon the decision of the Commission or (B) substantial  
24 evidence, submitted or received at any time while the Conditional Use authorization is  
25



1 effective, of a violation of conditions of approval, a violation of law, or operation which creates  
2 hazardous, noxious or offensive conditions enumerated in Section 202(c).

3 (2) **Notification.** The notice for the public hearing on a eConditional #Use  
4 abatement shall be subject to the notification procedure described in Sections 306.3 and  
5 306.8 except that notice to the property owner and the operator of the subject establishment  
6 or use shall be mailed by regular and certified mail.

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

20 (4) **Appeals.** A decision by the Planning Commission to revoke a  
21 eConditional #Use, to modify conditions or to place additional conditions on a eConditional  
22 #Use or a decision by the Planning Commission refusing to revoke or amend a eConditional  
23 #Use, may be appealed to the Board of Supervisors within 30 days after the date of action by  
24 the Planning Commission pursuant to the provisions of Section 308.1(b). The Board of  
25 Supervisors may disapprove the action of the Planning Commission in an abatement matter

1 by the same vote necessary to overturn the Commission's approval or denial of a eConditional  
2 #Use. The Planning Commission's action on a eConditional #Use abatement issue shall take  
3 effect when the appeal period is over or, upon appeal, when there is final action on the  
4 appeal.

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

10 (A) There is substantial new evidence of a new eConditional #Use  
11 abatement issue that is significantly different than the issue previously considered by the  
12 Planning Commission; or

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

22 \* \* \* \*

23 (j) **Change in Use or Demolition of Movie Theater Uses.**

24 (~~H~~) With respect to a change in use or demolition of a Movie Theater use  
25 *pursuant to Section 202.4 as defined in Sections 102, 703.2(b)(1)(B)(ii), 803.2(b)(1)(B)(iii) or*

1 803.3(b)(1)(B)(ii), in addition to the criteria set forth in ~~S~~subsections (c) and (d) above, the  
2 Commission shall make the following findings:

3 (1) ~~(A)~~ Preservation of a Movie Theater use is no longer economically  
4 viable and cannot effect a reasonable economic return to the property owner. For purposes of  
5 defining "reasonable economic return," the Planning Commission shall be guided by the  
6 criteria for Fair Return on Investment set forth in Section 102; ~~and~~

7 (2) ~~(B)~~ The change in use or demolition of the Movie Theater use will not  
8 undermine the economic diversity and vitality of the surrounding District; and

9 (3) ~~(C)~~ The resulting project will preserve the architectural integrity of  
10 important historic features of the movie theater use affected.

11 (k) **Relocation of Existing General Advertising Signs pursuant to a General  
12 Advertising Sign Company Relocation Agreement.**

13 (1) Before the Planning Commission may consider an application for a  
14 ~~e~~Conditional ~~u~~Use to relocate an existing lawfully permitted ~~g~~General ~~a~~Advertising ~~s~~Sign as  
15 authorized by Section 611 of this Code, the applicant sign company must have:

16 \* \* \* \*

17 (2) The Department, in its discretion, may review in a single ~~e~~Conditional  
18 ~~u~~Use application all signs proposed for relocation by a ~~g~~General ~~a~~Advertising ~~S~~ign company or  
19 may require that one or more of the signs proposed for relocation be considered in a separate  
20 application or applications. Prior to the Commission's public hearing on the application, the  
21 Department shall have verified the completeness and accuracy of the ~~g~~General ~~a~~Advertising  
22 ~~s~~Sign company's sign inventory.

23 \* \* \* \*

24 (4) In addition to applicable criteria set forth in subsection (c) above, the  
25 Planning Commission shall consider the size and visibility of the signs proposed to be located

1 as well as the following factors in determining whether to approve or disapprove a proposed  
2 relocation:

3 \* \* \* \*

4 (B) The factors set forth in this ~~§~~subsection ~~(k)(4)~~(B) shall weigh  
5 against the Commission's approval of the proposed relocation:

6 \* \* \* \*

7 (iv) The proposed relocation site is within, adjacent to, or visible  
8 from a zoning district where ~~g~~General ~~a~~Advertising ~~s~~Signs are prohibited.

9 (6) The Planning Commission may adopt additional criteria for relocation of  
10 ~~g~~General ~~a~~Advertising ~~s~~Signs that do not conflict with this Section 303(k) or Section 611 of this  
11 Code.

12 \* \* \* \*

13 (l) **Change in Use or Demolition of General Grocery *Store* Uses.**

14 ~~(1)~~ With respect to a change in use or demolition of General Grocery *Store*  
15 use ~~as defined in Sections 102, 703.2(b)(1)(B)(iii), 803.2(b)(1)(B)(iv) or 803.3 (b)(1)(B)(iii) of this~~  
16 ~~Code~~ which use exceeds 5,000 gross square feet pursuant to Section 202.3 of this Code, in  
17 addition to the criteria set forth in ~~§~~subsections (c) and (d) above, the Commission shall make  
18 the following findings:

19 ~~(1)~~ ~~(A)~~ Preservation of a General Grocery *Store* use is no longer  
20 economically viable and cannot effect a reasonable economic return to the property owner.  
21 The Commission may disregard the above finding if it finds that the change in use or  
22 replacement structure in the case of demolition will contain a ~~g~~General ~~g~~Grocery *store* that is of  
23 a sufficient size to serve the shopping needs of nearby residents and offers comparable  
24 services to the former ~~g~~General ~~g~~Grocery store. For purposes of defining "reasonable  
25

1 economic return," the Planning Commission shall be guided by the criteria for Fair Return on  
2 Investment set forth in Section 102; and

3           (2)   ~~(B)~~   The change in use or demolition of the General Grocery ~~Store~~ use  
4 will not undermine the economic diversity and vitality of the surrounding neighborhood.

5           \* \* \* \*

6           (n)   **Message Establishments.**

7           ~~(1)~~   With respect to Message Establishments that are subject to Conditional  
8 Use authorization, ~~as defined in Sections 102, 790.60, and 890.60 of this Code,~~ in addition to the  
9 criteria set forth in ~~S~~subsection (c) above, the Commission shall make the following findings:

10           (1)   ~~(A)~~   Whether the applicant has obtained, and maintains in good  
11 standing, a permit for a Message Establishment from the Department of Public Health  
12 pursuant to Section 29.10 of the ~~San Francisco~~ Health Code;

13           (2)   ~~(B)~~   Whether the use's façade is transparent and open to the public.  
14 Permanent transparency and openness are preferable. Elements that lend openness and  
15 transparency to a façade include:

16                   (A)   ~~(i)~~   active street frontage of at least 25 feet in length where 75%  
17 ~~percent~~ of that length is devoted to entrances to commercially used space or windows at the  
18 pedestrian eye-level;

19                   (B)   ~~(ii)~~   windows that use clear, untinted glass, except for  
20 decorative or architectural accent;

21                   (C)   ~~(iii)~~   any decorative railings or decorative grille work, other than  
22 wire mesh, which is placed in front of or behind such windows, should be at least 75% ~~percent~~  
23 open to perpendicular view and no more than six feet in height above grade;

24           (3)   ~~(C)~~   Whether the use includes pedestrian-oriented lighting. Well lit  
25 establishments where lighting is installed and maintained along all public rights-of-way

1 adjacent to the building with the massage use during the post-sunset hours of the massage  
2 use are encouraged:

3 ~~(D)~~ (4) Whether the use is reasonably oriented to facilitate public access.  
4 Barriers that make entrance to the use more difficult than to an average service-provider in  
5 the area are to be strongly discouraged. These include (but are not limited to) foyers equipped  
6 with double doors that can be opened only from the inside and security cameras.

7 \* \* \* \*

8 (p) **Adult Business, Nighttime Entertainment, General Entertainment, and Other**  
9 **Entertainment Uses.**

10 (1) With respect to Conditional Use authorization applications for Adult  
11 Business Business, Nighttime Entertainment, General Entertainment and Other Entertainment  
12 uses, such use or feature shall:

13 \* \* \* \*

14 (2) Notwithstanding the above, the Planning Commission may authorize a  
15 Conditional Use which does not satisfy the criteria set forth in (p)(1)(B) and/or (p)(1)(C)  
16 above, if facts presented are such to establish that the use will be operated in such a way as  
17 to minimize disruption to residences in and around the district with respect to noise and crowd  
18 control.

19 (3) The action of the Planning Commission approving a Conditional Use  
20 does not take effect until the appeal period is over or while the approval is under appeal.

21 \* \* \* \*

1 (r) **Development of Large Lots in RTO and RTO-M Districts.** In order to  
2 promote, protect, and maintain a scale of development that is appropriate to each district and  
3 compatible with adjacent buildings, new construction or significant enlargement of existing  
4 buildings on lots of the same size or larger than the square footage stated in Table 209.4  
5 under Large Project Review shall be permitted only as ~~e~~Conditional ~~#~~Uses subject to the  
6 provisions set forth in this Section of this Code.

7 \* \* \* \*

8  
9 **SEC. 303.1. FORMULA RETAIL USES.**

10 (a) **Findings.**

11 \* \* \* \*

12 (9) Neighborhood Commercial Districts are intended to preserve the unique  
13 qualities of a district while also serving the daily needs of residents living in the immediate  
14 neighborhood; however, community members have reported loss of daily needs uses due to  
15 inundation of formula retailers that target larger citywide or regional audiences. The City  
16 strives to ensure that goods and services that residents require for daily living are available  
17 within walking distance and at an affordable price. Establishments that serve daily needs and  
18 ~~f~~Formula ~~r~~Retail establishments are neither mutually exclusive nor completely overlapping.

19 \* \* \* \*

20 (c) **Retail Sales or Service Activity or Retail Sales or Service**

21 **Establishment."** For the purposes of this Section 303.1, a retail sales or service activity or  
22 retail sales or service establishment shall include the following uses whether functioning as a  
23 principal or accessory use, as defined in Articles 1, 2, 7, and 8 of this Code:

24 (1) ~~For Districts within Article 8 of this Code, the following uses as defined in~~  
25 ~~Section 890, or in Section 102 as noted:~~

- 1           (1)    = Bar § 102;
- 2           (2)    = Drive-up Facility §§ 102, 890.30;
- 3           (3)    = Eating and Drinking Use § 102;
- 4           (4)    = Liquor Store § 102;
- 5           (5)    = Sales and Service, Other Retail § 890.102 *and Retail Sales and Service.*

6    General:

- 7           (6)    = Restaurant § 102;
- 8           (7)    = Limited-Restaurant § 102;
- 9           ~~(8)    = Take-Out Food;~~
- 10          (9)    = Sales and Service, Retail §§ 102, 890.104;
- 11          (10)   = Service, Financial §§ 102, 890.110;
- 12          (11)   = Movie Theater §§ 102, 890.64;
- 13          (12)   = Amusement *and* Game Arcade §§ 102, 890.4;
- 14          (13)   = Service, Limited Financial, except single automated teller machines at
- 15          the street front that meet the Commission's adopted Performance-Based Design Guidelines
- 16          and automated teller machines located within another use that are not visible from the street §
- 17          102;
- 18          (14)   = Service, Fringe Financial §§ 102, 890.113;
- 19          (15)   = Tobacco Paraphernalia Establishment §§ 102, 890.123;
- 20          (16)   = Massage Establishment §§ 102, 890.60; and
- 21          (17)   = Service, Personal §§ 102, 890.116;
- 22          (18)   = Service, Instructional § 102; *and*
- 23          (19)   = Gym; § 102
- 24          (19)   = General Grocery § 102;
- 25          (20)   = Specialty Grocery § 102;



1           (21) ~~= Pharmacy § 102:~~

2           (22) ~~= Jewelry Store §§ 102, 890.51:~~

3           (23) ~~= Tourist Oriented Gift Store §§ 102, 890.39; and~~

4           (24) ~~= Non-Auto Vehicle Sales or Rental §§ 102, 890.69.~~

5  
6           (2) ~~— For Districts located within Articles 2 and 7 of this Code, the following~~  
7 ~~uses as defined in Section 102:~~

8                     ~~—Retail Sales and Services Uses except for: Adult Business, Animal~~  
9 ~~Hospital, Hotel, Kennel, Mortuary (Columbarium), Health Services, Motel, Retail~~  
10 ~~Professional Services, Self Storage, Trade Shop, and Limited Financial that are single~~  
11 ~~automated teller machines at the street front that meet the Commission's adopted~~  
12 ~~Performance-Based Design Guidelines and automated teller machines located within~~  
13 ~~another use that are not visible from the street;~~

14                     ~~—Movie Theater; and~~

15                     ~~—Amusement Game Arcade.~~

16           (d) **Conditional Use Criteria.** With regard to a ~~e~~Conditional ~~u~~Use authorization  
17 application for a Formula Retail use, the Planning Commission shall consider, in addition to  
18 the criteria set forth in Section 303, the criteria below and the Performance-Based Design  
19 Guidelines adopted by the Planning Commission to implement the criteria below.

20           \* \* \* \*

21           (e) **Conditional Use Authorization Required.** A Conditional Use Authorization  
22 shall be required for a Formula Retail use in the following zoning districts unless explicitly  
23 exempted:

24                     (1) All Neighborhood Commercial Districts in Article 7;

25                     (2) All Mixed Use-General Districts in Section 840;

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- (3) All Urban Mixed Use Districts in Section 843;
- (4) All Residential-Commercial Districts as defined in Section 209.3206.3;
- ~~(5) Japantown Special Use District as defined in Section 249.31;~~
- ~~(6)(5)~~ Chinatown Community Business District as defined in Section 810-~~1~~;
- ~~(7)~~ (6) Chinatown Residential/Neighborhood Commercial District as defined in 812-~~1~~;
- ~~(8)~~ (7) Western SoMa Planning Area Special Use District as defined in 823;
- ~~(9) Residential Transit Oriented Districts as defined in 206.4 and 206.5;~~
- ~~(10)~~ (8) Limited Commercial Conforming Use/Non-Conforming Uses in RH, RM, RTO, RH, RM, RTO and RED Districts, as permitted by Sections 186, 186.3, and 231;
- ~~(11)~~ (9) Third Street Formula Retail Restricted Use District, as defined in Section 786;
- ~~(12)~~ (10) The C-3-G District with frontage on Market Street, between 6th Street and the intersection of Market Street, 12th Street and Franklin Street.

\* \* \* \*

(g) **Neighborhood Notification and Design Review.** Any application for a Formula Retail use as defined in this section shall be subject to the notification and review procedures of ~~S~~subsections 312(d) and (e) of this Code. A ~~e~~Conditional ~~u~~Use hearing on an application for a Formula Retail use may not be held less than 30 calendar days after the date of mailed notice.

\* \* \* \*

(j) **Change of Use.** Changes of Formula Retail establishments are generally described below, except that a change of a Formula Retail use that is also a nonconforming use pursuant to Section 182 is prohibited. In all other instances, changes of Formula Retail establishments from one use category to another, including a change from one use to another

1 within the sub-categories of uses set forth in *the definition of Retail Sales and Services* in *Planning*  
2 *Code* Section ~~790~~.102 and *in* Section 890.102 *for Mixed Use Districts*, require a new Conditional  
3 Use authorization as a new Formula Retail use. Changes of Formula Retail owner or operator  
4 within the same use category that are determined to be an enlargement or intensification of  
5 use pursuant to ~~S~~subsection 178(c) are required to obtain Conditional Use authorization and  
6 shall meet the Commission's adopted Performance-Based Design Guidelines for Formula  
7 Retail. In cases determined not to be an enlargement or intensification of use, the  
8 Performance-Based Design Guidelines for Formula Retail may be applied and approved  
9 administratively by the Planning Department, unless the applicant requests a Conditional Use  
10 ~~H~~hearing at the Planning Commission. The applicant shall also pay an administrative fee to  
11 compensate Planning Department and City staff for its time reviewing the project under this  
12 ~~S~~subsection (j), as set forth in Section 360 of this Code.

13 (k) **Accessory Uses.** Conditional ~~u~~Use authorization shall be required for all  
14 ~~a~~Accessory ~~u~~Uses within those use categories subject to Formula Retail controls as defined in  
15 this Section 303.1, except for the following:

16 (1) Single automated teller machines falling within the definition of Limited  
17 Financial Services that are located at the street front that meet the Commission's adopted  
18 Performance-Based Design Guidelines for automated teller machines;

19 (2) Automated teller machines located within another use that are not visible  
20 from the street;

21 (3) Vending machines that do not exceed 15 feet of street frontage or occupy  
22 more than 200 square feet of area facing a public right of way.

23 **SEC. 304. PLANNED UNIT DEVELOPMENTS.**

24 In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, the DTR  
25 Districts, the North Beach Special Use District, or the South of Market Mixed Use Districts, the

1 Planning Commission may authorize as conditional uses, in accordance with the provisions of  
2 Section 303, Planned Unit Developments subject to the further requirements and procedures  
3 of this Section. After review of any proposed development, the Planning Commission may  
4 authorize such development as submitted or may modify, alter, adjust or amend the plan  
5 before authorization, and in authorizing it may prescribe other conditions as provided in  
6 Section 303(d). The development as authorized shall be subject to all conditions so imposed  
7 and shall be excepted from other provisions of this Code only to the extent specified in the  
8 authorization.

9 **SEC. 306.3. NOTICE OF HEARINGS.**

10 (a) Except as indicated in ~~Subsection (b) below, and except as provided in Sections~~  
11 ~~316.3 and 316.4 of this Code for conditional use applications where such authorization is required~~  
12 ~~pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90 and .95 of Sections 710~~  
13 ~~through 729 for each Neighborhood Commercial District,~~ notice of the time, place and purpose of  
14 the hearing on action for an amendment to the Planning Code or General Plan, eConditional  
15 ~~Use~~ or a ~~V~~Variance shall be given by the Zoning Administrator as follows:

- 16 (1) By mail to the applicant or other person or agency initiating the action;
- 17 (2) By mail, except in the case of proposed amendments to change the text  
18 of the Code, not less than ~~10~~ 20 days prior to the date of the hearing to the owners of all real  
19 property within the area that is the subject of the action and within 300 feet of all exterior  
20 boundaries of such area, using for this purpose the names and addresses of the owners as  
21 shown on the latest citywide assessment roll in the Office of the Tax Collector. Failure to send  
22 notice by mail to any such property owner where the address of such owner is not shown on  
23 such assessment roll shall not invalidate any proceedings in connection with such action;
- 24 (3) By publication, except in ~~V~~Variance cases, at least once in a newspaper  
25 of general circulation in the City not less than 20 days prior to the date of the hearing;

1 (4) Such other notice as the Zoning Administrator shall deem appropriate.

2 (b) In the following situations, notice of hearings shall be given as indicated.

3 (1) In the case of ~~v~~Variance applications involving a less than 10% ~~percent~~  
4 deviation as described in Section 305(c), the Zoning Administrator need give only such notice  
5 as the Zoning Administrator deems appropriate in cases in which a hearing is actually held.

6 \* \* \* \*

7 (c) In addition to any other information required by the Planning Department, the  
8 Zoning Administrator and the Planning Commission, any notice required by this Section of an  
9 application for a ~~e~~Conditional ~~u~~Use ~~permit~~ authorization or ~~v~~Variance which proposes a  
10 ~~e~~Commercial ~~u~~Use for the subject property shall disclose the name under which business will  
11 be, or is expected to be, conducted at the subject property, as disclosed in the permit  
12 application pursuant to Section 306.1(c), if the business name is known at the time notice is  
13 given. If the business name becomes known to the applicant during the notice period, the  
14 applicant promptly shall amend the notice to disclose such business name and the  
15 Department shall disseminate all the various required hearing notices again with the disclosed  
16 name and allow the prescribed time between the date of the notice and the date of the  
17 hearing.

18 **SEC. 306.10. MULTIPLE LANGUAGE REQUIREMENT FOR NOTICES.**

19 (a) **Applicability.** In addition to the notice requirements set forth elsewhere in this  
20 Code, the requirements of this section shall apply to the mailed notices that are required by  
21 the following sections of the Planning Code: Sections ~~202.5(e)(3)~~ ~~228.4(e)~~, 304.5(d), 306.3,  
22 306.7(g), 306.9(c), 309(c) through 309(h), 311, 312, 313.4(b), 314.4(a), ~~316.3(d)~~, 330.7, and  
23 any other section of the Planning Code that requires a notice to be mailed or personally  
24 served to property owners or occupants adjacent to or near a property for which Planning  
25 Department development approval is sought.

1           \* \* \* \*

2       **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.** In  
3 addition to those specified in Sections 302 through 306, ~~and Sections 316 through 316.6~~ of this  
4 Code, the Zoning Administrator shall have the following powers and duties in administration  
5 and enforcement of this Code. The duties described in this Section shall be performed under  
6 the general supervision of the Director of Planning, who shall be kept informed of the actions  
7 of the Zoning Administrator.

8           \* \* \* \*

9           (g)   **Exceptions from Certain Specific Code Standards through Administrative**  
10 **Review in the Chinatown Mixed Use Districts and the South of Market Mixed Use**  
11 **Districts.** The Zoning Administrator may allow complete or partial relief from rear yard, open  
12 space and wind and shadow standards as authorized in the applicable sections of this Code,  
13 when modification of the standard would result in a project better fulfilling the criteria set forth  
14 in the applicable section. The procedures and fee for such review shall be the same as those  
15 which are applicable to ~~v~~Variances, as set forth in Sections 306.1 through 306.5 and 308.2.

16           \* \* \* \*

17       **SEC. 308. APPEALS.**

18           In the case of any amendment, ~~e~~Conditional ~~u~~Use or ~~v~~Variance action described in  
19 Sections 302 through 305 ~~and Sections 316 through 316.6~~ of this Code, and in the case of any  
20 order, requirement, decision or other determination (other than a ~~v~~Variance) made by the  
21 Zoning Administrator, the procedures for appeals shall be as described in Sections 308  
22 through 308.2.

23       **SEC. 308.1. APPEALS: AMENDMENTS TO THE PLANNING CODE AND CONDITIONAL**  
24 **USES.**

1           (a)     **Right of Appeal.** The action of the Planning Commission, in disapproving in  
2 whole or in part an amendment to the Planning Code initiated by application as described in  
3 Section 302 and Sections 306 through 306.5, or in approving or disapproving in whole or in  
4 part an application for eConditional #Use authorization as described in Sections 303 and 304,  
5 ~~and Sections 306 through 306.5, and Sections 316 through 316.6~~ of this Code, shall be subject to  
6 appeal to the Board of Supervisors in accordance with this Section. An action of the  
7 Commission so appealed from shall not become effective unless and until approved by the  
8 Board of Supervisors in accordance with this Section.

9           (b)     **Notice of Appeal.** Any appeal under this Section shall be taken by filing written  
10 notice of appeal with the Board of Supervisors within 30 days after the date of action by the  
11 Planning Commission. The notice of appeal shall be subscribed by either (i) the owners of at  
12 least ~~20% percent~~ of the property affected by the proposed amendment or eConditional #Use  
13 or (ii) five members of the Board of Supervisors. The signature on the appeal of members of  
14 the Board shall not be deemed to be any indication of their position on the merits of the  
15 appeal but rather shall indicate only that they believe there is sufficient public interest and  
16 concern in the matter to warrant a hearing by the Board of Supervisors. For the purposes of  
17 this Section, the property affected shall be calculated as follows:

18                   (1)     When a proposed amendment or eConditional #Use has been  
19 disapproved by the Planning Commission, the property affected shall be deemed to be all  
20 property within the area that is the subject of the application for amendment or eConditional  
21 #Use, and within 300 feet of all exterior boundaries of the property that is the subject of the  
22 application;

23                   (2)     When a proposed eConditional #Use has been approved by the Planning  
24 Commission, the property affected shall be deemed to be all property within 300 feet of all  
25

1 exterior boundaries of the property for which the *e*Conditional *u*se has been approved by the  
2 Planning Commission, excluding the property for which the approval has been given;

3 (3) In either of the above cases, when any property is owned by the City and  
4 County of San Francisco, the United States Government or the State of California, or any  
5 department or agency thereof, or by any special district, and is located within 300 feet of the  
6 area that is the subject of the application for amendment or *e*Conditional *u*se, such property  
7 shall be excluded in determining the property affected unless such owner shall itself be a  
8 subscriber of the notice of appeal; and

9 (4) Wherever a property is held in joint owner-ship, the signatures of joint  
10 owners shall be calculated as representing affected property in direct proportion to the amount  
11 of the total ownership of that property attributable to the joint owner or owners subscribing to  
12 the notice of appeal. For the purposes of this calculation, the term "joint ownership" shall  
13 include joint tenancies, interests in common, community property, partnerships, stock  
14 cooperatives, condominiums, community apartments and planned unit developments. Where  
15 each owner has exclusive rights to a portion of the property, the proportion of the total  
16 ownership attributable to that owner shall be calculated in terms of a ratio of the floor area and  
17 land area in which that owner has exclusive, joint and common rights to the total floor area  
18 and land area of that property. Under these calculations, the land area of an affected property  
19 in joint ownership shall be given the same weight as the land area of an affected property not  
20 in joint ownership, in determining whether ~~20% percent~~ of the property affected is represented  
21 by signatures to the notice of appeal.

22 \* \* \* \*

23 **SEC. 310. ZONING PROCEDURES NOT TO APPLY TO ARTICLE 10.**

24 Notwithstanding any other provision of this Code, the procedures set forth in this Article  
25 3 (Sections 301 through 309 ~~and Sections 316 through 316.6~~ of this Code) shall not apply to



1 Article 10, Preservation of Historical, Architectural and Aesthetic Landmarks; the procedures  
2 applicable to Article 10 are included therein.

3 **SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC, AND EASTERN**  
4 **NEIGHBORHOODS MIXED USE DISTRICTS.**

5 \* \* \* \*

6 (b) **Applicability.** Except as indicated herein, all building permit applications for  
7 demolition, new construction, the removal of an authorized or unauthorized *residential Dwelling*  
8 ~~#~~Unit, changes in use to a ~~f~~Formula ~~r~~Retail use as defined in Section 303.1 of this Code or  
9 alterations which expand the exterior dimensions of a building shall be subject to the  
10 notification and review procedures required by ~~S~~subsection 312(d). Subsection 312(f)  
11 regarding demolition permits and approval of replacement structures shall apply to all NC, and  
12 Eastern Neighborhoods Mixed Use Districts. For the purposes of this Section, addition to a  
13 building of the features listed in Section 136(c)(1) through 136(c)(24) and 136(c)(26) shall not  
14 be subject to notification under this Section.

15 (c) **Changes of Use.** In NC Districts, all building permit applications for a change of  
16 use to ~~or the establishment of an Adult Business, a Bar as defined in Sections 102 and 790.22, Child-~~  
17 ~~Care Facility, General Entertainment, Group Housing, Limited Restaurant, a Liquor Store, as defined~~  
18 ~~in Sections 102 and 790.55, Other Large Institutions as defined in Section 790.50, Other Small~~  
19 ~~Institutions as defined in Section 790.51, a Limited Restaurant as defined in Sections 102 and 790.90, a~~  
20 ~~Restaurant as defined in Sections 102 and 790.91, a Massage Establishment as defined in Sections~~  
21 ~~102 and 790.60, Nighttime Entertainment, an Outdoor Activity Area as defined in Section 790.70, an~~  
22 ~~Adult or Other Entertainment use as defined in Sections 790.36 and 790.38, a Fringe Financial Service~~  
23 ~~use as defined in Sections 102 and 790.111, Post-Secondary Educational Institution, Private~~  
24 ~~Community Facility, Public Community Facility, Religious Institution, Residential Care Facility,~~  
25 ~~School, Tobacco Paraphernalia Establishments as defined in Sections 102 and 790.123, or Trade~~

1 ~~School Group Housing as defined in Sections 102 and 790.88(b)~~ shall be subject to the provisions  
2 of ~~S~~subsection 312(d); provided, however, that a change of use from a Restaurant to a  
3 Limited-Restaurant shall not be subject to the provisions of ~~S~~subsection 312(d). ~~In all RED and~~  
4 ~~Eastern Neighborhoods Mixed Use Districts all building permit applications for a change of use from~~  
5 ~~any one land use category to another land use category shall be subject to the provisions of Subsection~~  
6 ~~312(d).~~ In addition, any accessory massage use in the Ocean Avenue Neighborhood  
7 Commercial Transit District shall be subject to the provisions of ~~S~~subsection 312(d).

8 In all RED and Eastern Neighborhoods Mixed Use Districts all building permit applications for  
9 a change of use from any one land use category to another land use category shall be subject to the  
10 provisions of subsection 312(d). For the purposes of this ~~S~~subsection (c), "land use category"  
11 shall mean those categories used to organize the individual land uses which appear in the use  
12 tables in Article 8, immediately preceding a group of individual land uses, and include the  
13 following: Residential Use, Institutional Use, Retail Sales and Service Use, assembly,  
14 Recreation and Entertainment Use, Office Use, motor vehicle services use, Industrial home  
15 and business service Use, or other use.

16 \* \* \* \*

17 (g) **Wireless Telecommunications Services Facility as Accessory Use,**  
18 **Notification and Review Required.** Building permit applications for new construction of a  
19 ~~w~~ireless ~~t~~elecommunications ~~s~~ervices ~~f~~acility as an ~~a~~ccessory ~~u~~se under Article 7 or 8  
20 of the Planning Code in all NC, RED, or Eastern Neighborhoods Mixed Use Districts shall be  
21 subject to the notification and review procedures required by this Section.

22 \* \* \* \*

23 ~~SEC. 316. PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN NEIGHBORHOOD~~  
24 ~~COMMERCIAL, EASTERN NEIGHBORHOODS MIXED USE DISTRICTS, AND SOUTH OF~~  
25 ~~MARKET MIXED USE DISTRICTS.~~

1            *In addition to the provisions of Sections 306.1, 306.4, and 306.5 of this Code, the following*  
2 *procedures set forth in this and the following sections shall govern applications for Conditional Use*  
3 *authorization where this authorization is required pursuant to Sections 178, 179, 181(f) or (g),*  
4 *260(b)(2)(P) or 263.11 of this Code; zoning categories .10, .11, .21, .24 through .27, .38 through .90,*  
5 *and .95 of Sections 710 through 729 of this Code for each Neighborhood Commercial District; Sections*  
6 *813 through 818 for the South of Market Mixed Use Districts; Section 840 through 843 for the Eastern*  
7 *Neighborhoods Mixed Use Districts; or Section 823 for the Western SoMa Special Use District. The*  
8 *criteria for determinations on such applications are set forth in Section 303(e) of this Code. Additional*  
9 *criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 of Article 7*  
10 *are set forth in the Section of this Code containing the control. Additional criteria for determinations*  
11 *on certain applications within Mixed Use Districts are set forth in Sections 263.11 and 803.5 through*  
12 *803.9 of this Code. Additional criteria for determination on certain applications within the Western*  
13 *SoMa Special Use District are set forth in Section 823 of this Code.*

14 **~~SEC. 316.1. APPLICATIONS AND FILING FEES.~~**

15            *The provisions set forth in Section 306.1 of this Code shall govern with respect to applications*  
16 *and filing fees.*

17 **~~SEC. 316.2. ZONING ADMINISTRATOR REVIEW, SCHEDULING OF HEARING, AND~~**  
18 **~~RECOMMENDATION.~~**

19            *The Zoning Administrator shall review and schedule applications for conditional use*  
20 *authorization for Planning Commission review at a public hearing.*

21            *(a) — Review. After an application for conditional use is filed at the Department, the Zoning*  
22 *Administrator shall review the application and determine if the facts presented establish that the*  
23 *proposed use or feature is in conformity with the criteria set forth in Section 303(e) and any other*  
24 *applicable provision of this Code.*

1           ~~(b) — **Scheduling of Determination.** After reviewing an application, the Zoning Administrator~~  
2 ~~shall set a time and place for Planning Commission determination at a public hearing.~~

3           ~~(c) — **Report and Recommendation.** The Zoning Administrator shall make necessary~~  
4 ~~investigations and studies and submit proposed findings to the Planning Director. The report and~~  
5 ~~recommendation of the Planning Director will be submitted to the Planning Commission at a public~~  
6 ~~hearing.~~

7 ~~**SEC. 316.3. NOTICE OF TIME, PLACE, AND PURPOSE OF THE HEARING.**~~

8           ~~After review of an application subject to these procedures and scheduling of the matter for~~  
9 ~~Planning Commission determination, the Zoning Administrator shall provide notice of the time, place,~~  
10 ~~and purpose of the hearing, as follows:~~

11           ~~(a) — By mail to the applicant or other person or agency initiating the action;~~

12           ~~(b) — By posting on the subject property at least 20 days prior to the date that the matter is~~  
13 ~~scheduled for determination by the Planning Commission;~~

14           ~~(c) — By publication at least once in a newspaper of general circulation in the City not less~~  
15 ~~than 20 days prior to the scheduled date of the appearance of the item on the Planning Commission~~  
16 ~~calendar at a public hearing;~~

17           ~~(d) — By mail at least 20 days prior to the date that the matter is scheduled for determination~~  
18 ~~by the City Planning Commission to property owners within 300 feet of the property that is the subject~~  
19 ~~of the action using the names and addresses of owners as shown on the latest citywide Assessment Roll~~  
20 ~~in the office of the Tax Collector, as well as groups or individuals requesting such notice in writing.~~

21           ~~Failure to send notice by mail to any such property owner where the address of such owner is~~  
22 ~~not shown on such assessment roll shall not invalidate any proceedings in connection with such action;~~

23           ~~(e) — Such other notice as the Zoning Administrator shall deem appropriate.~~

24 ~~**SEC. 316.4. CONDUCT OF PUBLIC HEARINGS AND DETERMINATION.**~~

1            *The provisions set forth in Section 306.4 of this Code with respect to conduct of hearings shall*  
2 *govern whenever a public hearing is required.*

3 **~~SEC. 316.5. RECONSIDERATION.~~**

4            *The provisions set forth in Section 306.5 of this Code shall govern with respect to*  
5 *reconsideration of conditional use applications which have been disapproved.*

6 **~~SEC. 316.6. APPEAL.~~**

7            *A final determination by the Planning Commission on an application for conditional use*  
8 *authorization may be appealed to the Board of Supervisors pursuant to the provisions of Section 308.1*  
9 *of this Code.*

10 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**  
11 **DISTRICTS.**

12            \* \* \* \*

13            (c) **Identifying Signs.** Identifying Signs, as defined in Section 602, shall be  
14 permitted in all Neighborhood Commercial and Residential-Commercial Districts subject to the  
15 limits set forth below.

16            \* \* \* \*

17            (2) One Sign identifying a shopping center or shopping mall shall be  
18 permitted subject to the conditions in subsection (c)(1), but shall not exceed 30 square feet in  
19 area. Any Sign identifying a permitted Commercial ~~Use listed in zoning categories 40 through 70~~  
20 ~~in Section 703.2(a)~~ in an NC District shall be considered a Business Sign and subject to  
21 Section 607.1(f) of this Code. Such Signs may be Nonilluminated, Indirectly Illuminated, or  
22 Directly Illuminated during the hours of operation of the businesses in the shopping center or  
23 shopping mall.

24            \* \* \* \*

1 Section 3. The Planning Code is hereby amended by revising Sections 701.1, 702,  
2 702.1, 702.2, 702.3, 702.4, 703, 703.2, 703.4, 703.9, 720, 721, 722, 726, 727, 731, 732, 733,  
3 734, 735, 736, 737, 738, 743, 744, 746, 747, 780.1, 780.2, 780.3, 781.1, 781.4, 781.5, 781.6,  
4 781.7, 781.9, 784, 787, 788, 801.2, 803.3, 803.8, 803.9, and 825, adding Sections 750, 751,  
5 752, 761, 762, 763, 764, and new Zoning Control Tables 710, 711, 712, 713, 714, 715, 716,  
6 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734,  
7 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 753, 754, 755, 756, 757,  
8 758, 759, 760, and deleting Section 733A to read as follows:

9 **SEC. 701.1. PURPOSE OF ARTICLE 7.**

10 This Article is intended to provide a comprehensive and flexible zoning system for  
11 Neighborhood Commercial Districts which is consistent with the objectives and policies set  
12 forth in the San Francisco *Master General* Plan. More specifically, the purposes of this Article  
13 are:

14 (a) To provide in one article a complete listing of or cross-reference to all of the  
15 zoning categories, *definitions*, control provisions, and review procedures which are applicable  
16 to properties or uses in Neighborhood Commercial Districts.

17 (b) To establish a zoning system which will accommodate all classes of  
18 Neighborhood Commercial Districts including general districts for citywide area groupings and  
19 individual districts which are tailored to the unique characteristics of specific areas.

20 (c) To provide zoning control categories which embrace the full range of land use  
21 issues in all Neighborhood Commercial Districts, in order that controls can be applied  
22 individually to each district class to address particular land use concerns in that district.

23 **SEC. 702. CLASSES OF NEIGHBORHOOD COMMERCIAL DISTRICTS.**

24 The following classes of districts are established for Neighborhood Commercial  
25 Districts.

**SEC. 702.1. NEIGHBORHOOD COMMERCIAL USE DISTRICTS.**

(a) Neighborhood Commercial and Neighborhood Commercial Transit Districts. The following Neighborhood Commercial and Neighborhood Commercial Transit Districts, listed in Section 201 of this Code, are established for the purpose of implementing the Commerce and Industry element and other elements of the General Plan, according to the objective and policies stated therein. Description and Purpose Statements outline the main functions of each Neighborhood Commercial (NC) and Neighborhood Commercial Transit District in the Zoning Plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code.

The description and purpose statements and land use controls applicable to each of the general and individual area districts are set forth in this Code for each district class. The boundaries of the various Neighborhood Commercial and Neighborhood Commercial Transit Districts are shown on the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the provisions of that Section.

<i>Neighborhood Commercial General Area Districts</i>	<i>Section Number</i>
<i>NC 1 Neighborhood Commercial Cluster District</i>	<i>§ 710</i>
<i>NC 2 Small Scale Neighborhood Commercial District</i>	<i>§ 711</i>
<i>NC 3 Moderate Scale Neighborhood Commercial District</i>	<i>§ 712</i>
<i>NC S Neighborhood Commercial Shopping Center District</i>	<i>§ 713</i>

<i>Named Neighborhood Commercial Districts</i>	<i>Section Number</i>
<i>Broadway Neighborhood Commercial District</i>	<i>§ 714</i>

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<i>Castro Street Neighborhood Commercial District</i>	§ 715
<i>Inner Clement Street Neighborhood Commercial District</i>	§ 716
<i>Outer Clement Street Neighborhood Commercial District</i>	§ 717
<i>Excelsior Outer Mission Street Neighborhood Commercial District</i>	§ 745
<i>Upper Fillmore Street Neighborhood Commercial District</i>	§ 718
<i>Haight Street Neighborhood Commercial District</i>	§ 719
<i>Irving Street Neighborhood Commercial District</i>	§ 740
<i>Judah Street Neighborhood Commercial District</i>	§ 742
<i>Upper Market Street Neighborhood Commercial District</i>	§ 721
<i>Noriega Street Neighborhood Commercial District</i>	§ 739
<i>North Beach Neighborhood Commercial District</i>	§ 722
<i>Pacific Avenue Neighborhood Commercial District</i>	§ 732
<i>Polk Street Neighborhood Commercial District</i>	§ 723
<i>Sacramento Street Neighborhood Commercial District</i>	§ 724
<i>Inner Sunset Neighborhood Commercial District</i>	§ 730
<i>Taraval Street Neighborhood Commercial District</i>	§ 741.1
<i>24th Street Noe Valley Neighborhood Commercial District</i>	§ 728
<i>Union Street Neighborhood Commercial District</i>	§ 725
<i>West Portal Avenue Neighborhood Commercial District</i>	§ 729



1 (b) — The following districts are Neighborhood Commercial Transit (NCT) Districts,  
 2 including both general area districts and individual area districts identified by street or area name.  
 3 These districts are a subset of the Neighborhood Commercial (NC) Districts.

<i>Neighborhood Commercial Transit Districts</i>	<i>Section Number</i>
<i>NCT 1 — Neighborhood Commercial Transit Cluster District</i>	§ 733A
<i>NCT 2 — Small Scale Neighborhood Commercial Transit District</i>	§ 734
<i>NCT 3 — Moderate Scale Neighborhood Commercial Transit District</i>	§ 731

<i>Named Neighborhood Commercial Transit (NCT) Districts</i>	<i>Section Number</i>
<i>Divisadero Street Neighborhood Commercial Transit District</i>	§ 746
<i>Fillmore Street Neighborhood Commercial Transit District</i>	§ 747
<i>Folsom Street Neighborhood Commercial Transit District</i>	§ 743
<i>Glen Park Neighborhood Commercial Transit District</i>	§ 738
<i>Hayes Gough Neighborhood Commercial Transit District</i>	§ 720
<i>Upper Market Street Neighborhood Commercial Transit District</i>	§ 733
<i>Mission Street Neighborhood Commercial Transit District</i>	§ 736
<i>Ocean Avenue Neighborhood Commercial Transit District</i>	§ 737
<i>Regional Commercial District</i>	§ 744
<i>SoMa Neighborhood Commercial Transit District</i>	§ 735
<i>24th Street Mission Neighborhood Commercial Transit District</i>	§ 727
<i>Valencia Street Neighborhood Commercial Transit District</i>	§ 726

1                   (1) Neighborhood Commercial Districts. *Neighborhood Commercial Districts are*  
2 *low to high density mixed-use neighborhoods of varying scale established around historical*  
3 *neighborhood commercial centers. The Neighborhood Commercial Districts are intended to support*  
4 *neighborhood-serving uses on the lower floors and housing above. These Districts tend to be linear*  
5 *commercial corridors, but may also include small clusters of commercial activity in Residential*  
6 *Districts. Housing density is limited by the area of the lot and minimum parking ratios are*  
7 *typically required for Residential Uses and commercial uses greater than 5,000 square feet;*  
8 *however some Neighborhood Commercial Districts have no minimum parking requirements.*  
9 *Individually named Neighborhood Commercial Districts are intended to allow provide for more*  
10 *targeted residential and commercial controls to fit the needs of their respective neighborhoods.*

11                   (2) Neighborhood Commercial Transit Districts. *NCT Neighborhood Commercial*  
12 *Transit* Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of  
13 varying scale concentrated near transit services. The *NCT Neighborhood Commercial Transit*  
14 Districts are mixed use districts that support neighborhood-serving commercial uses on lower  
15 floors and housing above. These districts are well-served by public transit and aim to  
16 maximize residential and commercial opportunities on or near major transit services. The  
17 district's form can be either linear along transit-priority corridors, concentric around transit  
18 stations, or broader areas where transit services criss-cross the neighborhood. Housing  
19 density is limited not by lot area, but by the regulations on the built envelope of buildings,  
20 including height, bulk, setbacks, and lot coverage, and standards for *#Residential #Uses*,  
21 including open space and exposure, and urban design guidelines. Residential parking is not  
22 required and generally limited. Commercial establishments are discouraged or prohibited from  
23 building accessory off-street parking in order to preserve the pedestrian-oriented character of  
24 the district and prevent attracting auto traffic. There are prohibitions on access (i.e. driveways,  
25

garage entries) to off-street parking and loading on critical stretches of commercial and transit streets to preserve and enhance the pedestrian-oriented character and transit function.

**~~SEC. 702.2. NEIGHBORHOOD COMMERCIAL SPECIAL USE DISTRICTS.~~**

(b) Neighborhood Commercial Special Use Districts. ~~In addition to the Neighborhood Commercial Use Districts established by Section 702.1 of this Code, certain~~ Neighborhood Commercial Special Use Districts, as listed in Section 201 of this Code, are established for the purpose of controlling changes in use and new development within sensitive neighborhood areas.

The purposes and provisions set forth in Section 780.4 of this Code shall apply within these districts. The boundaries of the districts are as shown on the Zoning Map as referred to in Sections 105 and 106 of this Code, subject to the provisions of that Section.

<i>Neighborhood Commercial Special Use Districts</i>	<i>Section Number</i>
<i>Lakeshore Plaza Special Use District</i>	<i>§ 780.1</i>
<i>Bayshore Hester Special Use District</i>	<i>§ 780.2</i>
<i>North Beach Special Use District</i>	<i>§ 780.3</i>
<i>Mission-Harrison Special Use District</i>	<i>§ 780.4</i>

**~~SEC. 702.3. NEIGHBORHOOD COMMERCIAL RESTRICTED-USE SUBDISTRICTS.~~**

(c) Neighborhood Commercial Restricted Use Subdistricts. ~~In addition to the Neighborhood Commercial Use Districts established by Section 702.1 of this Code, certain~~ Neighborhood Commercial Restricted ~~Special Use Subdistricts~~ Districts listed in Section 201 of this Code are established for the purpose of controlling the expansion of certain kinds of uses that which if uncontrolled may adversely affect the character of certain Neighborhood Commercial Districts.

1 The purposes and provisions set forth in Sections 781.1 through 781.10, Section 784,  
 2 and Sections 249.35 through 249.99 of this Code shall apply respectively within these  
 3 districts. The boundaries of the districts are as shown on the Zoning Map as referred to in  
 4 Section 105 of this Code, subject to the provisions of that Section.

<i>Neighborhood-Commercial Restricted Use Subdistricts</i>	<i>Section Number</i>
<i>Taraval Street Restaurant Subdistrict</i>	§ 781.1
<i>Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict</i>	§ 781.4
<i>Mission Street Formula Retail Restaurant Subdistrict</i>	§ 781.5
<i>North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict</i>	§ 781.6
<i>Chestnut Street Financial Service Subdistrict</i>	§ 781.7
<i>Haight Street Alcohol Restricted Use District</i>	§ 781.9
<i>Lower Haight Street Alcohol Restricted Use District</i>	§ 784
<i>Fringe Financial Service Restricted Use District</i>	§ 249.35
<i>Mission Alcohol Restricted Use District</i>	§ 249.60 (formerly 781.8)
<i>Third Street Alcohol Restricted Use District</i>	§ 249.62 (formerly 782)

23 **~~SEC. 702.4. SPECIAL USE DISTRICTS.~~**

24

25

1           (d) **Other Special Use Districts.** *In addition to the Neighborhood Commercial Use Districts*  
 2 *and Neighborhood Commercial Special Use Districts established by Sections 702.1 and 702.2 of this*  
 3 *Code, certain special use districts established in Section 201 of this Code are located within*  
 4 *certain Neighborhood Commercial District boundaries. The designations, locations, and*  
 5 *boundaries of the special use districts are as provided below.*

<i>Special Use Districts</i>	<i>Section Number</i>
<i>Third Street Special Use District</i>	§ 249.14
<i>17th Rhode Island Street Special Use District</i>	§ 249.61 (formerly 781.10)
<i>Geary Boulevard/Divisadero Street Special Use District</i>	§ 249.13
<i>California Street And Presidio Avenue Community Central Special Use District</i>	§ 249.21
<i>Japantown Special Use District</i>	§ 249.31
<i>Fulton Street Grocery Store Special Use District</i>	§ 249.35
<i>Upper Market Special Sign District</i>	§ 608.10

17 **SEC. 703. NEIGHBORHOOD COMMERCIAL DISTRICT REQUIREMENTS.**

18           *The Neighborhood Commercial District zoning control categories consist of building standards*  
 19 *listed in Section 703.1 of this Code and permitted uses listed in Section 703.2 of this Code. The controls*  
 20 *are either stated, or summarized and cross referenced to the sections in other articles of this Code*  
 21 *containing the requirements, in Sections 710.1 through 729.95 of this Code, for each of the district*  
 22 *classes listed in Section 702.1, or referenced in Section 799 of this Code.*

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

1           (a) Zoning Control Tables. Each Zoning District in Article 7 has a corresponding Zoning  
 2 Control Table that details the basic development standards and Use controls for the respective district.  
 3 Zoning Control Tables are explained in Section 202.1 of this Code. Any and all uses Permitted or  
 4 Conditionally permitted uses and Uses that are not permitted in the zoning districts described in  
 5 this Section are detailed in the corresponding Zoning Control Tables.

6           A use is the specific purpose for which a property or building is used, occupied, maintained, or  
 7 leased. Whether or not a use is permitted in a specific district is set forth or summarized and cross-  
 8 referenced in Article 7 of this Code for each district class.

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

No.	Zoning Control Categories for Uses	Section Number of Use Definition
.24	Outdoor Activity Area	§ 790.70
.25	Drive-Up Facility	§ 790.30
.26	Walk-Up Facility	§ 790.140
.27	Hours of Operation	§ 790.48
.36	Residential Conversion	§ 317
.37	Residential Demolition	§ 317
.38	Residential Division	§ 207.8
.39	Residential Merger	§ 317
.40	Other Retail Sales and Services	§ 790.102

1	.41	<i>Bar</i>	§ 790.22
2	.43	<i>Limited Restaurant</i>	§ 790.90
3			
4	.44	<i>Restaurant</i>	§ 790.91
5	.45	<i>Liquor Store</i>	§ 790.55
6	.46	<i>Movie Theater</i>	§ 790.64
7	.47	<i>Adult Entertainment</i>	§ 790.36
8			
9	.48	<i>Other Entertainment</i>	§ 790.38
10	.49	<i>Financial Service</i>	§ 790.110
11	.50	<i>Limited Financial Service</i>	§ 790.112
12			
13	.51	<i>Medical Service</i>	§ 790.114
14	.52	<i>Personal Service</i>	§ 790.116
15	.53	<i>Business or Professional Service</i>	§ 790.108
16	.54	<i>Massage Establishment</i>	§ 790.60
17	.55	<i>Tourist Hotel</i>	§ 790.46
18			
19	.56	<i>Automobile Parking</i>	§ 790.8
20	.57	<i>Automotive Gas Station</i>	§ 790.14
21	.58	<i>Automotive Service Station</i>	§ 790.17
22			
23	.59	<i>Automotive Repair</i>	§ 790.15
24	.60	<i>Automotive Wash</i>	§ 790.18
25			

1	<del>.61</del>	<i>Automobile Sale or Rental</i>	§ 790.12
2	<del>.62</del>	<i>Animal Hospital</i>	§ 790.6
3			
4	<del>.63</del>	<i>Ambulance Service</i>	§ 790.2
5	<del>.64</del>	<i>Mortuary</i>	§ 790.62
6	<del>.65</del>	<i>Trade Shop</i>	§ 790.124
7			
8	<del>.66</del>	<i>Storage</i>	§ 790.117
9	<del>.68</del>	<i>Fringe Financial Service</i>	§ 790.111
10	<del>.69</del>	<i>Tobacco Paraphernalia Establishment</i>	§ 790.123
11		<i>Amusement Game Arcade (Mechanical Amusement</i>	
12	<del>.69B</del>	<i>Devices)</i>	§ 790.4
13	<del>.69C</del>	<i>Neighborhood Agriculture</i>	§ 102.35(a)
14			
15	<del>.69D</del>	<i>Large-Scale Urban Agriculture</i>	§ 102.35(b)
16	<del>.70</del>	<i>Administrative Service</i>	§ 790.106
17	<del>.80</del>	<i>Hospital or Medical Center</i>	§ 790.44
18			
19	<del>.81</del>	<i>Other Institutions, Large</i>	§ 790.50
20	<del>.82</del>	<i>Other Institutions, Small</i>	§ 790.51
21	<del>.83</del>	<i>Public Use</i>	§ 790.80
22	<del>.84</del>	<i>Medical Cannabis Dispensary</i>	§ 790.141
23			
24	<del>.85</del>	<i>Service, Philanthropic Administrative</i>	§ 790.107
25	<del>.90</del>	<i>Residential Use</i>	§ 790.88



2  
3     (b)     ~~Use Limitations.~~ *The uses permitted in Neighborhood Commercial Districts are either*  
4 *principal, conditional, accessory, or temporary uses as stated in this Section, and include those uses set*  
5 *forth or summarized and cross-referenced in the zoning control categories as listed in this Code for*  
6 *each district class.*

7             (1)     ~~Permitted Uses.~~ Uses in Enclosed Buildings. All permitted uses shall be  
8 conducted within an enclosed building in Neighborhood Commercial Districts, unless  
9 otherwise specifically allowed in this Code. Exceptions from this requirement are: uses which,  
10 when located outside of a building, qualify as an Outdoor Activity Area or Open Air Sales, as  
11 ~~defined in Sections 102 and 790.70 of this Code;~~ accessory off-street parking and loading, and  
12 other uses listed below which function primarily as open-air uses, or which may be  
13 appropriate if located on an open lot, outside a building, or within a partially enclosed building,  
14 subject to other limitations of this Article 7 and other sections of this Code.

No.	<u>Zoning Control Category</u>
<del>56</del>	<del>Automobile Parking</del> <u>Public and Private Parking Lots</u>
<del>57</del>	<del>Automotive</del> Gas Station
<del>58</del>	Automotive Service Station
<del>60</del>	Automotive Wash
<del>61</del>	Automobile Sale or Rental
<del>81</del>	<del>Other Institutional Uses, Large</del> (selected)
<del>83</del>	Public Use <u>Facilities</u> (selected)
	<del>Community Residential Parking</del> <u>Open Recreation Area</u>
	<u>Outdoor Recreation Area</u>
<del>95</del>	<u>Neighborhood and Large Scale Urban Agriculture</u>
	<u>Utility and Infrastructure Uses (selected)</u>

1           (c) Multiple Uses in One Structure. If there are two or more uses in a structure and  
2 none is classified ~~below~~ under Section ~~703(d) below 703.2(b)(1)(C) of this Code~~ as ~~an~~ Accessory  
3 Use, then each of these uses will be considered separately as independent ~~p~~Principal,  
4 ~~e~~Conditional or temporary uses.

5                           (A) — ~~Principal Uses. Principal uses are permitted as of right in a~~  
6 ~~Neighborhood Commercial District, when so indicated in this Code for each district class.~~

7                           (B) — ~~Conditional Uses. Conditional uses are permitted in a Neighborhood~~  
8 ~~Commercial District when authorized by the Planning Commission; whether a use is conditional in a~~  
9 ~~given district is indicated in this Code. Conditional uses are subject to the provisions set forth in~~  
10 ~~Sections 178, 179, 303, and 316 through 316.6 of this Code.~~

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

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

17                           (iii) — ~~Notwithstanding any other provision of this Article, a change in~~  
18 ~~use or demolition of a general grocery store use, as defined in Section 790.102(a), which use exceeds~~  
19 ~~5,000 gross square feet shall require conditional use authorization. This Subsection shall not authorize~~  
20 ~~a change in use if the new use or uses are otherwise prohibited.~~

21                           (iv) — ~~Large Scale Urban Agriculture, as defined in Section 102.35(b),~~  
22 ~~shall require conditional use authorization.~~

24           (d)    (C) Accessory Uses. ~~Except as prohibited in Section 728 and s~~Subject to the  
25 limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and

1 NC Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and  
2 Loading as Accessory Uses) of this Code, Accessory Uses as defined in Section 102 a related  
3 minor use which is either necessary to the operation or enjoyment of a lawful principal use or  
4 conditional use, or is appropriate, incidental and subordinate to any such use, shall be permitted as  
5 an accessory use when located on the same lot. Any use ~~which~~ that does not qualify as an  
6 aAccessory uUse shall be classified as a pPrincipal or eConditional use, unless it qualifies as a  
7 temporary use under Sections 205 through 205.4 of this Code.

8 No use will be considered accessory to a permitted pPrincipal or eConditional use ~~which~~  
9 that involves or requires any of the following:

10 (1) ~~(i)~~ The use of more than 1/3 of the total floor area occupied by such use  
11 and the pPrincipal or eConditional use to which it is accessory, except in the case of accessory  
12 off-street parking and loading and as specified in subsection (d)(3)(4) below as accessory  
13 wholesaling, manufacturing or processing of foods, goods, or commodities;

14 (2) ~~(ii)~~ Any Bar or Restaurant, or any other retail establishment which serves  
15 liquor for consumption on-site; however, this shall not prohibit take-out food activity which operates  
16 in conjunction with a Limited Restaurant, Restaurant, General Grocery, and Specialty Grocery;

17 ~~(iii) Any Take-Out Food use, as defined in Section 790.122, except for a Take-Out Food use~~  
18 ~~which occupies 1/3 of the total floor area or up to 500 s/f whichever is more restrictive in a general~~  
19 ~~grocery or specialty grocery store. This Take-Out Food use includes the area devoted to food~~  
20 ~~preparation and service and excludes storage and waiting areas;~~

21 ~~(iv) Any Take-Out Food use, as defined in Section 790.122, except for a Take-~~  
22 ~~Out Food use operating as a minor and incidental use within a Restaurant or Limited Restaurant use;~~

23 (3) ~~(v)~~ The wholesaling, manufacturing or processing of foods, goods, or  
24 commodities on the premises of an establishment ~~which~~ that does not also use or provide for  
25 retail sale of such foods, goods or commodities at the same location where such wholesaling,

1 manufacturing or processing takes place; except, however, in the North Beach Special Use District  
2 where such activities are limited to 15% of the total floor area occupied by the Principal or  
3 Conditional Use to which it is accessory unless the Principal or Conditional Use is Specialty Foods  
4 Manufacturing as defined in Section 780.3.

5 (4) ~~(vi)~~ Any retail ~~Liquor Store~~ sales, ~~as defined in Section 790.55, except for~~  
6 ~~beer, wine, and/or liquor sales for the consumption off the premises with a State of California Alcoholic~~  
7 ~~Beverage Control ("ABC") Board License type 20 (off-sale beer and wine) or type 21 (off-sale general)~~  
8 ~~which occupy less than 15% of the gross square footage of the establishment (including all areas~~  
9 ~~devoted to the display and sale of alcoholic beverages) in a General Grocery or Specialty Grocery, or~~  
10 ~~Limited-Restaurant use (ABC license type 20 only).~~

11 (5) ~~(vii)~~ Medical Cannabis Dispensaries ~~as defined in 790.141.~~

12 ~~The foregoing rules shall not prohibit take-out food activity which operates in conjunction with~~  
13 ~~a Limited-Restaurant or a Restaurant. A Limited-Restaurant or a Restaurant, by definition, includes~~  
14 ~~take-out food as an accessory and necessary part of its operation.~~

15 (6) ~~(viii)~~ Any other ~~General e~~Entertainment or ~~Nighttime Entertainment~~ use, ~~as~~  
16 ~~defined in Section 790.38, except for one that involves a Limited Live Performance Permit as set~~  
17 ~~forth in Police Code Section 1060et seq.~~

18 (7) ~~Within the North Beach SUD and NCD a Limited Restaurant.~~

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

21 (8ix) A Medical Health Service use as an Accessory Use in the Sacramento  
22 Street Neighborhood Commercial District requires a Conditional Use authorization on the  
23 ground story and is permitted above the ground story pursuant to Section 724 of this Code.

24 (e) (2) Uses Not Permitted Uses.

25

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

5                   (1)   (B)   No use, even though listed as a ~~p~~Permitted ~~u~~Use, shall be  
6 permitted in a Neighborhood Commercial District which, by reason of its nature or manner of  
7 operation, creates conditions that are hazardous, noxious, or offensive through the emission  
8 of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or  
9 excessive noise.

10                   (2)   (C)   The establishment of a use that sells alcoholic beverages, other  
11 than beer and wine, concurrent with motor vehicle fuel is prohibited, and shall be governed by  
12 Section ~~202.2(b) 229~~. Except in the SoMa NCT, where these uses are permitted ~~a~~Accessory  
13 ~~u~~Uses.

14                   (f)   Conflicting Controls. All uses, buildings and features in Neighborhood Commercial  
15 Districts shall comply with all controls set forth for the district in which they are located. Where  
16 different controls conflict or overlap within the same District, the use, building or feature shall abide  
17 by the most restrictive of all controls. For example, in an NC-2 District, a Dwelling Unit on the second  
18 story is proposed for conversion to a Personal Service use. Residential Conversions at the Second Story  
19 in an NC-2 District require Conditional Use authorization under Table 711, while Personal Services at  
20 the Second Story in an NC-2 District are permitted as Principal Uses under Table 711. Following the  
21 most restrictive control, the applicant must obtain Conditional Use authorization and all other  
22 necessary permits in order to legally convert the Dwelling Unit to a Personal Service use.

23   **SEC. 703.4. CONDITIONAL USE AUTHORIZATION FOR FORMULA RETAIL USES.**

24                   (a)   This ~~Ordinance~~ Section 703.4 shall be known as the Small Business Protection  
25 Act.

1 (b) ~~Notwithstanding Section 703.3(b) and e~~Except for those zoning districts where  
2 Formula Retail uses are not permitted as set forth in Section 303.1(f), establishment of a  
3 ~~f~~Formula ~~r~~Retail use, as defined in Section 303.1, in any Neighborhood Commercial District,  
4 as identified in Article 7, shall require ~~e~~Conditional ~~u~~Use authorization pursuant to the criteria  
5 of Sections 303(c) and 303.1 and be subject to the terms of Sections 303.1(g) and (h).

6 (c) Nothing herein shall preclude the Board of Supervisors from adopting more  
7 restrictive provisions for ~~e~~Conditional ~~u~~Use authorization of ~~f~~Formula ~~r~~Retail use or prohibiting  
8 ~~f~~Formula ~~r~~Retail use in any Neighborhood Commercial District.

9 **SEC. 703.9. PRESERVATION OF HISTORIC BUILDINGS WITHIN THE FOLSOM STREET**  
10 **NCT AND RCD DISTRICTS.**

11 The following controls are intended to support the economic viability of buildings of  
12 historic importance within the Folsom NCT and RCD Districts.

13 (a) This subsection (a) applies only to buildings that are a designated landmark  
14 building per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant  
15 to Article 11 of this Code and located within the Extended Preservation District, or a building  
16 listed in or determined individually eligible for the National Register of Historic Places or the  
17 California Register of Historical Resources by the State Office of Historic Preservation.

18 (b) Non-Retail Professional Services, Retail Professional Services, Philanthropic  
19 Administrative Services, Financial Services, Fringe Financial Services, Gyms, Limited Financial  
20 Services, Health Services, Personal Services and Instructional Services, as defined in Section 102, All  
21 office uses, as defined in Planning Code Section 790.69, are permitted as of right, provided that  
22 prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of  
23 the Historic Preservation Commission, determines that allowing the use will enhance the  
24 feasibility of preserving the building.

(c) The Historic Preservation Commission shall review the proposed project for compliance with the Secretary of the Interior's Standards, (36 C.F.R. § 67.7 (2001)) and any applicable provisions of the Planning Code.

**SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

\* \* \* \*

**Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**

**ZONING CONTROL TABLE**

		<u>NC-1</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies, but generally 40-X. See Height and Bulk Map Sheets HT02-08, HT10-13 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P(1) in some districts</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§ 130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required: controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on some streets, see § 145.4 for specific districts.</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Restricted on some streets, see §155(r) for specific districts</u>

<u>Miscellaneous</u>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning</u>	<u>§ 136.1</u>	<u>P</u>
<u>Canopy or Marquee</u>	<u>§ 136.1</u>	<u>NP</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§ 135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2 If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		
		<u>Controls by Story</u>
		<u>1st</u> <u>2nd</u> <u>3rd</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u> <u>P</u> <u>P</u>
<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>



<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>
<u>Group Housing Density</u>	<u>§ 208</u>	<i>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</i>
<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>
<u>Homeless Shelters Density</u>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>
		<u>1st</u> <u>2nd</u> <u>3rd+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u> <u>NP</u> <u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§ 102</u>	<i>P up to 2,999 square feet; C 3,000 square feet and above</i>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<i>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<i>P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.</i>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>

1	<u>Open Air Sales</u>	§§102, 703(b)	<u>See §703(b)</u>		
2	<u>Outdoor Activity Area</u>	§102, 145.2	<u>P if located in front of building; C if located elsewhere</u>		
3	<u>Walk-up Facility</u>	§102	<u>P</u>		
4	<b><u>NON-RESIDENTIAL USES</u></b>		<b><u>Controls by Story</u></b>		
			<b><u>1st</u></b>	<b><u>2nd</u></b>	<b><u>3rd+</u></b>
5	<b><u>Agricultural Use Category</u></b>				
6	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<u>P</u>	<u>P</u>	<u>P</u>
7	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Greenhouse</u>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<b><u>Automotive Use Category</u></b>				
10	<u>Automotive Uses*</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Parking Garage, Private</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
13	<u>Parking Lot, Private</u>	§§102, 142, 156	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Public</u>	§§ 102, 142, 156	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
16	<u>Entertainment, Arts and Recreation Uses*</u>	§§102, 202.4	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Entertainment, General</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Entertainment, Nighttime</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
19	<u>Open Recreation Area</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Passive Outdoor Recreation</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
21	<b><u>Industrial Use Category</u></b>				
22	<u>Industrial Uses</u>	§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<b><u>Institutional Use Category</u></b>				
24	<u>Institutional Uses*</u>	§102	<u>P</u>	<u>C</u>	<u>NP</u>
25	<u>Child Care Facility</u>	§102	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
26	<u>Hospital</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
27	<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	<u>NP(4)</u>	<u>NP</u>	<u>NP</u>
28	<u>Philanthropic Admin. Services</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
29	<u>Public Facilities</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
30	<u>Religious Institution</u>	§102	<u>P</u>	<u>C</u>	<u>NP</u>
31	<u>Residential Care Facility</u>	§102	<u>P</u>	<u>P(5)</u>	<u>P(5)</u>
32	<b><u>Sales and Service Use Category</u></b>				
33	<u>Retail Sales and Service Uses*</u>	§102	<u>P(2)</u>	<u>NP</u>	<u>NP</u>

1	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Animal Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
4	<u>Hotel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Kennel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
6	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
7	<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Motel</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Services, Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
12	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<u>Services, Health</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
14	<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
15	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
16	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
17	<u>Services, Retail Professional</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
18	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
20	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
21	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
23	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Utility and Infrastructure Use Category</u>				
25	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) Additional 5 feet for NC-1 parcels with a Commercial use on the ground floor within the following areas:

(a) Within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street.

(b) On Noriega, Irving, Taraval and Judah Streets west of 19th Avenue.

(2) 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.

(3) C required for 13 or more children.

1 (4) Permitted with DR if the Medical Cannabis Dispensaries can demonstrate to the Planning  
 2 Department they were in operation as of April 1, 2005 and have remained in continuous operation and  
 3 have obtained a final permit to operate by March 1, 2008.

4 (5) C required for 7 or more persons.

5 (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

6 **SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

7 \* \* \* \*

8 Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2

9 ZONING CONTROL TABLE

<u>Zoning Category</u>	<u>§ References</u>	<u>NC-2 Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies, but generally 40-X. See Height and Bulk Map Sheets HT01-13 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P(1) in some districts</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>

<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on some streets, see § 145.4 for specific districts.</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Restricted on some streets, see §155(r) for specific districts</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>RESIDENTIAL STANDARDS AND USES</b>				
<b>Development Standards</b>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<b>Use Characteristics</b>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<b>Residential Uses</b>		<b>Controls by Story</b>		
		<u>1st</u>	<u>2nd</u>	<u>3rd<sup>1</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		

1	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>
2	<u>Group Housing Density</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>
3	<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
4	<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
5	<u>Loss of Dwelling Units</u>		
6			<u>Controls by Story</u>
7			<u>1st                      2nd                      3rd</u>
8	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C                      C                      NP</u>
9	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C                      C                      C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>

<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<b><u>NON-RESIDENTIAL USES</u></b>		<b><u>Controls by Story</u></b>		
		<b><u>1st</u></b>	<b><u>2nd</u></b>	<b><u>3rd+</u></b>
<b><u>Agricultural Use Category</u></b>				
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Automotive Use Category</u></b>				
<u>Automotive Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Service Station</u>	<u>§§102, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Industrial Use Category</u></b>				
<u>Industrial Uses</u>	<u>§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Institutional Use Category</u></b>				
<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>NP</u>

1	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
3	<b><u>Sales and Service Use Category</u></b>				
	<b><u>Retail Sales and Service Uses*</u></b>	<b><u>§102</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>NP</u></b>
4	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
5	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
6	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
8	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
9	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
10	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
12	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
13	<u>Services, Financial</u>	<u>§102</u>	<u>P(5)</u>	<u>C(5)</u>	<u>NP</u>
14	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P(5)(6)</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P(5)</u>	<u>NP</u>	<u>NP</u>
15	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<b><u>Tobacco Paraphernalia Store Establishment</u></b>	<b><u>§102</u></b>	<b><u>C</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
17	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<b><u>Non-Retail Sales and Service*</u></b>	<b><u>§102</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
18	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
19	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<b><u>Utility and Infrastructure Use Category</u></b>				
20	<b><u>Utility and Infrastructure*</u></b>	<b><u>§102</u></b>	<b><u>C(7)</u></b>	<b><u>C(7)</u></b>	<b><u>C(7)</u></b>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) Additional 5 feet for NC-2 parcels zoned 40' or 50' with an Active Use on the ground floor within the following areas: Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue.

(2) C required for 13 or more children.



1 (3) C required for seven or more persons.

2 (4) TARAVAL STREET RESTAURANT SUBDISTRICT: Applicable only for the Taraval Street NC-2 District  
between 12th and 19th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Restaurants, Limited-Restaurants  
are C; Formula Retail Restaurants and Limited-Restaurants are NP.

3 (5) CHESTNUT STREET FINANCIAL SERVICE SUBDISTRICT: NP for properties on Chestnut Street zoned NC-2  
from Broderick to Fillmore Streets as mapped on Sectional Map 2 SU.

4 (6) FRINGE FINANCIAL SPECIAL USE DISTRICT: The FFSUD and its ¼ 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; the  
North of Market Residential Special Use District and the Assessor's Blocks and Lots fronting on both sides of  
Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use District Maps SU11 and  
SU12; and includes Small-Scale Neighborhood Commercial Districts within its boundaries.

5 Controls: Within the FFSUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35.  
Outside the FFSUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in  
subsection 249.35(c)(3).

6 (7) C if a Macro WTS Facility; P if a Micro WTS Facility.

7 **SEC. 712. NC-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

8 \* \* \* \*

9 **Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3**

10 **ZONING CONTROL TABLE**

		<u>NC-3</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies, but generally 40-X. See Height and Bulk Map Sheets HT01-04, HT07, HT08, HT10, and HT11 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P(1) in some districts</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet.(6).</u>
<u>Front Setback and Side Yard</u>	<u>§§ 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		

1	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
2	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
3			
4			
5			
6	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on some streets, see § 145.4 for specific districts.</u>
7	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Restricted on some streets, see §155(r) for specific districts</u>
8	<u>Miscellaneous</u>		
9	<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
10	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
11	<u>Awning</u>	<u>§§ 102, 136</u>	<u>P</u>
12	<u>Canopy or Marquee</u>	<u>§§ 102, 136</u>	<u>P</u>
13	<u>Signs</u>	<u>§§ 262, 602-604, 607, 608, 609</u>	<u>As permitted by Section § 607.1</u>
14	<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
15	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 – 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2 If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		

1	<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
2	<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
3	<b><u>Residential Uses</u></b>		<b><u>Controls by Story</u></b>		
4			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
5	<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
7	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
8					
9					
10	<u>Group Housing Density</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
11					
12	<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
13					
14	<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
15	<b><u>Loss of Dwelling Units</u></b>		<b><u>Controls by Story</u></b>		
16			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
17	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C(2)</u>
18	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS</u></b>		
<b><u>Development Standards</u></b>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.6 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 5,999 square feet; C 6,000 square feet and above</u>

<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.
<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.

<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	§102	NP(2)
<u>Formula Retail</u>	§§102, 303.1	C
<u>Hours of Operation</u>	§102	No limit
<u>Maritime Use</u>	§102	NP
<u>Open Air Sales</u>	§§102, 703(b)	See §703(b)
<u>Outdoor Activity Area</u>	§§102, 145.2(a)	P if located in front; C if located elsewhere
<u>Walk-up Facility</u>	§102	P

<b>NON-RESIDENTIAL USES</b>	<b>Controls by Story</b>		
	<b>1st</b>	<b>2nd</b>	<b>3rd+</b>

<u>Agricultural Use Category</u>				
<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	P	P	P
<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP

<u>Automotive Use Category</u>				
<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5	C	NP	NP
<u>Automotive Repair</u>	§102	C	C	NP
<u>Parking Garage, Private</u>	§102	C	C	C
<u>Parking Garage, Public</u>	§102	C	C	C
<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
<u>Service, Motor Vehicle Tow</u>	§102	NP	NP	NP
<u>Service, Parcel Delivery</u>	§102	NP	NP	NP
<u>Vehicle Storage Garage</u>	§102	NP	NP	NP
<u>Vehicle Storage Lot</u>	§102	NP	NP	NP

<u>Entertainment, Arts and Recreation Use Category</u>				
<u>Entertainment, Arts and Recreation Uses*</u>	§102	NP	NP	NP

1	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
2	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
3	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>P</u>	<u>NP</u>
4	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<b><u>Industrial Use Category</u></b>				
	<u>Industrial Uses</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
6	<b><u>Institutional Use Category</u></b>				
	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
7	<u>Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Job Training</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
9	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>DR</u>
10	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
11	<b><u>Sales and Service Use Category</u></b>				
	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.3</u>	<u>P</u>	<u>P</u>	<u>P</u>
12	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
13	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
14	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>P(3)</u>	<u>NP</u>
	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
16	<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Massage Establishment</u>	<u>§102, 303(o)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
18	<u>Mortuary</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(3)(4)</u>	<u>P(3)(4)</u>	<u>NP</u>
20	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(3)(4)</u>	<u>P(3)(4)</u>	<u>NP</u>
21	<u>Retail Sales and Service, General</u>	<u>§102</u>	<u>P(5)</u>	<u>P(5)</u>	<u>P(3)</u>
22	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P(6)</u>	<u>NP(6)</u>	<u>NP(6)</u>
23	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
24	<u>Storage, Self</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
25	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

Trade Shop	§102	P	C	C
<b>Non-Retail Sales and Service*</b>	§102	NP	NP	NP
Design Professional	§102	P	P	P
Service, Non-Retail Professional	§102	C	C	C
Storage, Commercial	§102	C	C	C
Trade Office	§102	P	P	P
<b>Utility and Infrastructure Use Category</b>				
<b>Utility and Infrastructure*</b>	§102	C(8)	C(8)	C(8)
Power Plant	§102	NP	NP	NP
Public Utilities Yard	§102	NP	NP	NP

\* Not listed below

(1) Additional 5 feet for NC-2 parcels zoned 40' or 50' with an Active Use on the ground floor within the following areas: Geary from Masonic Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard between Palm Avenue and Parker Avenue, see § 263.20.

**(2) THIRD FLOOR RESIDENTIAL CONVERSION:**

Boundaries: Applicable to NC-3 Districts.

Controls: A residential use may be converted to an Institutional Use, other than a Medical Cannabis Dispensary, 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:

(a) The structure in which the residential use is to be converted has been found eligible for listing on the National Register of Historic Places;

(b) The proposed use is to be operated by a nonprofit public benefit corporation; and

(c) No legally residing residential tenants will be displaced.

**(3) THIRD STREET SPECIAL USE DISTRICT**

Boundaries: Applicable only to the portion of the Third Street SUD as shown on Sectional Map 10 SU zoned NC-3.

Controls: Off-sale retail liquor sales are NP; drive-up facilities for Restaurants and Limited-Restaurants are C.

**(4) MISSION STREET FORMULA RETAIL RESTAURANT SUBDISTRICT**

Boundaries: Applicable only for the portion of the Mission Street NC-3 District between 15th Street and Randall Street as mapped on Sectional Map 7 SU.

Controls: Formula Retail Restaurants and Limited Restaurants are NP.

**(5) GEARY BOULEVARD FORMULA RETAIL PET SUPPLY STORE AND FORMULA RETAIL EATING AND DRINKING SUBDISTRICT:** 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. Formula Retail pet supply stores and formula retail eating and drinking uses are NP.

(6) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD): The FFSUD and its ¼ 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 Neighborhood Commercial District; the North of Market Residential Special Use District and the Assessor's Blocks and Lots fronting on both sides of Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use District Maps SU11 and SU12; and includes Small-Scale Neighborhood Commercial Districts within its boundaries.

Controls: Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in subsection 249.35(c)(3).

(7) MISSION-HARRINGTON SPECIAL USE DISTRICT

Boundaries: Applicable only to the Mission-Harrington SUD, as shown on Sectional Map SU11.

Controls: Height 56-X; one unit allowed for every 400 square feet of lot area; no parking requirements; no rear setback requirements.

(8) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.**

\* \* \* \*

**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S**

**ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>NC-S Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 253.3, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<u>Varies, but generally 40-X. Lakeshore Plaza SUD requires C for buildings above 26 feet (1). See Height and Bulk Map Sheets HT02-05, HT07, and HT10-13 for more information, Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	<u>NP</u>
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<u>Not Required.</u>
<u>Front Setback and Side Yard</u>	§§ 131, 132, 133	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<u>Required</u>

<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required: controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on certain streets, see § 145.4 for specific districts.</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Restricted on some streets, see §155(r) for specific districts</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>N/A</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy, or Marquee</u>	<u>§§ 102, 136</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP(1)</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b>RESIDENTIAL STANDARDS AND USES</b>		
<b>Development Standards</b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§ 135, 136</u>	<u>Generally, either 100 square feet if private, or 133 square feet if common.(1)</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one automotive space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<b>Use Characteristics</b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<b>Residential Uses</b>		<b>Controls by Story</b>



		<i>1st</i>	<i>2nd</i>	<i>3rd</i>
<i>Residential Uses</i>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<i>Dwelling Unit Density</i>	<u>§§ 102, 207</u>	<i>1 unit per 800 square feet lot area, or the density permitted in the nearest Residential District, whichever is greater. (1)(4)</i>		
<i>Senior Housing Density</i>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<i>Group Housing Density</i>	<u>§ 208</u>	<i>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater. (1)</i>		
<i>Accessory Dwelling Unit Density</i>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelter Density</i>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss of Dwelling Units</i>		<i>Controls by Story</i>		
		<i>1st</i>	<i>2nd</i>	<i>3rd</i>
<i>Residential Conversion</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<i>Residential Demolition and Merger</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS</u></b>		
<i>Development Standards</i>		
<i>Floor Area Ratio</i>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<i>Use Size</i>	<u>§102, 121.2</u>	<i>P up to 5,999 square feet; C 6,000 square feet and above</i>

1	<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
2					
3					
4					
5	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
6	<b><u>Commercial Use Characteristics</u></b>				
7	<u>Drive-up Facility</u>	<u>§102</u>	<u>C</u>		
8	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
9	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m., C 2 a.m. 6 a.m.(1)</u>		
10	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
11	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
12	<u>Outdoor Activity Area</u>	<u>§§102, 145.2(a)</u>	<u>P if located in front; C if located elsewhere</u>		
13	<u>Walk-up Facility</u>	<u>§§102, 145.2(b)</u>	<u>P</u>		
14	<b><u>NON-RESIDENTIAL USES</u></b>		<b><u>Controls by Story</u></b>		
15			<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
16	<b><u>Agricultural Use Category</u></b>				
17	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
18	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<b><u>Automotive Use Category</u></b>				
21	<u>Automotive Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Automotive Sale/Rental</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
23	<u>Automotive Service Station</u>	<u>§§102, 202.2(b)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Automotive Wash</u>	<u>§§102, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C(1)</u>	<u>C(1)</u>
	<u>Parking Garage, Public</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C(1)</u>	<u>C(1)</u>
	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, General</u>	<u>§102</u>	<u>P(1)</u>	<u>P(1)</u>	<u>NP</u>

<i>Entertainment, Nighttime</i>	<u>§102</u>	<i>P(1)</i>	<i>P(1)</i>	<i>NP</i>
<i>Movie Theater</i>	<u>§§102, 202.4</u>	<i>P(1)</i>	<i>NP(1)</i>	<i>NP</i>
<i>Open Recreation Area</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Passive Outdoor Recreation</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
<b><i>Industrial Use Category</i></b>				
<b><i>Industrial Uses*</i></b>	<u>§§102, 202.2(a)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<b><i>Institutional Use Category</i></b>				
<b><i>Institutional Uses*</i></b>	<u>§102</u>	<i>P(1)</i>	<i>P(1)</i>	<i>NP(1)</i>
<i>Child Care Facility</i>	<u>§102</u>	<i>P(1)</i>	<i>P(1)</i>	<i>P(1)(2)</i>
<i>Hospital</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Medical Cannabis Dispensary</i>	<u>§§102, 202.2(e)</u>	<i>DR</i>	<i>NP</i>	<i>NP</i>
<i>Philanthropic Admin. Services</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Public Facilities</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Residential Care Facility</i>	<u>§102</u>	<i>P(1)</i>	<i>P(1)</i>	<i>P(1)(3)</i>
<b><i>Sales and Service Use Category</i></b>				
<b><i>Retail Sales and Service Uses*</i></b>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
<i>Adult Business</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Animal Hospital</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Bar</i>	<u>§§102, 202.2(a)</u>	<i>P(1)</i>	<i>P(1)</i>	<i>NP</i>
<i>Hotel</i>	<u>§102</u>	<i>C(4)</i>	<i>C(4)</i>	<i>C(4)</i>
<i>Kennel</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Liquor Store</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
<i>Massage Establishment</i>	<u>§102, 303(o)</u>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Massage, Foot/Chair</i>	<u>§102</u>	<i>P</i>	<i>C</i>	<i>NP</i>
<i>Mortuary</i>	<u>§102</u>	<i>C(1)</i>	<i>C(1)</i>	<i>NP</i>
<i>Motel</i>	<u>§§102, 202.2(a)</u>	<i>NP(4)</i>	<i>NP(4)</i>	<i>NP(4)</i>
<i>Restaurant, Limited</i>	<u>§§102, 202.2(a)</u>	<i>P(1)</i>	<i>P(1)</i>	<i>NP</i>
<i>Services, Financial</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP(1)</i>
<i>Services, Fringe Financial</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
<i>Services, Health</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP(1)</i>
<i>Services, Instructional</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP(1)</i>
<i>Services, Limited Financial</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
<i>Services, Personal</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP(1)</i>
<i>Storage, Self</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
<b><i>Non-Retail Sales and Service*</i></b>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Design Professional</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
<i>Service, Non-Retail Professional</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>NP(1)</i>

<i>Trade Office</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>NP</i>
<b><i>Utility and Infrastructure Use Category</i></b>				
<b><i>Utility and Infrastructure*</i></b>	<i>§102</i>	<i>C(5)</i>	<i>C(5)</i>	<i>C(5)</i>
<i>Power Plant</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Public Utilities Yard</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>

*\* Not listed below*

***(1) LAKESHORE PLAZA SPECIAL USE DISTRICT***

***Boundaries:*** *Applicable only for the Lakeshore Plaza NC-S District as mapped on Sectional Map SU13 and HT13.*

***Controls:*** *Special controls on various features and uses, and residential standards per Section 780.1, and special Height controls per Section 253.3.*

*(2) NP for 13 or more children*

*(3) NP for 7 or more persons*

***(4) BAYSHORE-HESTER SPECIAL USE DISTRICT***

***Boundaries:*** *Applicable only for the Bayshore-Hester Special Use District NC-S District as mapped on the Sectional Map 10SU.*

***Controls:*** *Hotels and Motels may be permitted as a Conditional Use.*

*(5) C if a Macro WTS Facility; P if a Micro WTS Facility.*

**SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

		<b><u>Broadway NCD</u></b>
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<i>Height and Bulk Limits.</i>	<i>§§ 102, 105, 106, 250–252, 253.1, 260, 261.1, 270, 271. See also Height and Bulk District Maps</i>	<i>40-X and 65-A. In 65-A Districts, P up to 40 ft., C 40 to 65 feet See Height and Bulk Map Sheet HT01 for more information. Height sculpting required on Alleys per §261.1.</i>
<i>5 Foot Height Bonus for Active Ground Floor Uses</i>	<i>§ 263.20</i>	<i>NP</i>

<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet.</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required.</u>
<u>Vehicle Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on Columbus Avenue between Washington and North Point Streets, and on Broadway between Embarcadero and Polk Street</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines Guidelines and historic resource consideration. Properties in this District have been identified as potentially eligible for the National Register or California Register.</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		

1	<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§135, 136</u>	<u>60 square feet if private, or 80 square feet if common</u>		
2	<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>No car parking required (2). P up to one car for each two Dwelling or SRO Units; C up to 0.75 cars for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each Dwelling Unit. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
3					
4					
5					
6	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
7					
8	<u>Use Characteristics</u>				
9	<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
10	<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
11	<u>Residential Uses</u>		<u>Controls By Story</u>		
12			<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
13	<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
14	<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 400 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
15					
16	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
17	<u>Group Housing Density</u>	<u>§ 208</u>	<u>1 bedroom per 140 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
18					
19	<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
20					
21	<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
22	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
23			<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
24	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
25	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 2,999 square feet; C 3,000 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in § 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<b><u>Commercial Use Characteristics</u></b>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<b><u>Controls by Story</u></b>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Automotive Use Category</u></b>				
<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Entertainment, Arts and Recreation Use Category</u></b>				

1	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
3	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
4	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
5	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>P</u>	<u>NP</u>
6	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Industrial Use Category</u>				
9	<u>Industrial Uses</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Institutional Use Category</u>				
11	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
12	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
13	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
15	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
17	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
18	<u>Sales and Service Use Category</u>				
19	<u>Retail Sales and Service Uses*</u>	<u>§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
20	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
21	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
22	<u>Bar</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
23	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
24	<u>Kenel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(4)(5)</u>	<u>C(4)(5)</u>	<u>NP</u>
	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(4)</u>	<u>P(4)</u>	<u>NP</u>
	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(6)</u>	<u>NP(6)</u>	<u>NP(6)</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>



<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(7)</u>	<u>C(7)</u>	<u>C(7)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

**(1) BROADWAY OFF-STREET PARKING RESIDENTIAL**

**Boundaries: Broadway NCD.**

**Controls: Installing a garage in an existing residential building of four or more units requires a mandatory discretionary review by the Planning Commission; Section 311 notice is required for a building of less than four units. In approving installation of the garage, the Commission shall find that:**

**(a) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code.**

**(b) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount;**

**(c) the building has not had two or more "no-fault" evictions, as defined in 37.9(a)(7)-(13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past ten years;**

**(d) the garage would not front on a public right-of-way narrower than 41 feet; and**

**(e) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.**

**(2) C required for 13 or more children**

**(3) C required for seven or more persons.**

**(4) Formula Retail NP for this use.**

**(5) BROADWAY LIQUOR LICENSES FOR RESTAURANTS**

**Boundaries: Applicable to the Broadway Neighborhood Commercial District.**

**Controls: A Restaurant Use may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the restaurant is operating as a Bona Fide Eating Place, as defined in Section 790.142 of this Code. Should a restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.**

**(6) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD).**

**Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Broadway 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).**

**(7) C if a Macro WTS Facility; P if a Micro WTS Facility.**

1  
2 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

3 \* \* \* \*

4 **Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

5 **ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>Castro NCD Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250–252, 253.1, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	40-X, 65-B. See <u>Height and Bulk Map Sheet HT07 for more information. Height Sculpting on Alleys per § 261.1</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	P
<u>Rear Yard</u>	§ 130 § 134, 134(a)and(e)	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet.</u>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<u>Not Required.</u>
<i>Street Frontage and Public Realm</i>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<u>Required</u>
<u>Street Frontage Requirements</u>	§ 145.1	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	§ 145.4	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<u>Prohibited on Market Street from Castro Street to the Embarcadero</u>
<i>Miscellaneous</i>		

<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet if private, or 100 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		
		<u>Controls By Story</u>
		<u>1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P                      P                      P</u>
<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>

1	<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
2					
3					
4	<u>Group Housing Density</u>	<u>§ 208</u>	<u>Up to 1 bedroom per 210 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
5					
6	<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
7					
8	<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
9	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
10			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
11	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
12	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.0 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P to 1,999 square feet; C 2,000 square feet to 3,999 square feet; NP(1) 4,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>

1	<u>Open Air Sales</u>	<u>§102, 703(b)</u>	<u>See Section 703(b)</u>		
2	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
3	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
4	<b><u>Agricultural Use Category</u></b>		<b><u>Controls by Story</u></b>		
5			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
6	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
7	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<b><u>Automotive Use Category</u></b>				
10	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
16	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
19	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
20	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<b><u>Industrial Use Category</u></b>				
23	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<b><u>Institutional Use Category</u></b>				
25	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
26	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
27	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
28	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
29	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
30	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
31	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
32	<b><u>Sales and Service Use Category</u></b>				
33	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>

1	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
2	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
4	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
5	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
6	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
7	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
10	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
11	<u>Services, Financial</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
12	<u>Services, Health</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
13	<u>Services, Limited Financial</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
14	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<u>Services, Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
15	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
17	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Design Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
19	<u>Trade Office</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
	<u>Utility and Infrastructure Use Category</u>				
20	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) USE SIZE EXEMPTION

Per Planning Code Section 121.2(b), Use Size shall generally not exceed 4,000 square feet except that a Child Care Facility, School, Post-Secondary Educational Institution, Religious Institution, Social Service or Philanthropic Facility, Community Facility, or a Residential Care Facility as defined in Section 102 that is operated by a non-profit and is neighborhood-serving may exceed 4,000 square feet by Conditional Use authorization.

(2) C required for 13 or more children

1 (3) C required for seven or more persons.

2 (4) CASTRO STREET LIQUOR LICENSES FOR RESTAURANTS

3 Boundaries: Applicable to the Castro Street Neighborhood Commercial District

4 Controls: A Restaurant, as defined in Section 102, may only add ABC license types 47, 49 or 75 as a Conditional  
5 Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that  
6 the Restaurant is operating as a Bona Fide Eating Place, as defined in Section 102 of this Code. Should a  
7 Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization  
8 shall be subject to immediate revocation.

9 (5) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD).

10 Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Broadway Neighborhood  
11 Commercial District.

12 Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section 249.35.  
13 Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in  
14 subsection 249.35(c)(3).

15 (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

16 **SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

17 \* \* \* \*

18 Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT

19 ZONING CONTROL TABLE

<u>Zoning Category</u>	<u>§ References</u>	<u>Inner Clement</u> <u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<u>Massing and Setbacks</u>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheet HT03 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>

1	<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required</u>
2	<b><u>Street Frontage and Public Realm</u></b>		
3	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
4	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
5			
6			
7	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
8	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
9	<b><u>Miscellaneous</u></b>		
10	<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
11	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
12	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
13	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
14	<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
15			
16	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
17			
18			

<u>Zoning Category</u>	<u>§References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet if private, or 100 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>



<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		<u>Controls By Story</u>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup>+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u> <u>P</u> <u>P</u>
<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>
<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>
<u>Group Housing Density</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>
<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup>+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u> <u>NP</u> <u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>

1	<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
2	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
3	<b>Commercial Use Characteristics</b>				
4	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
5	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
6	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
7	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
8	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section 703(b)</u>		
9	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
10	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
11	<b>Controls by Story</b>				
12	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
13	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
14	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<b>Automotive Use Category</b>				
17	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<b>Entertainment, Arts and Recreation Use Category</b>				
23	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b>Industrial Use Category</b>				

<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use Category</u>				
<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Sales and Service Use Category</u>				
<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C(3)</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
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(1) C required for 13 or more children

(2) C required for seven or more persons.

**(3) INNER CLEMENT STREET LIQUOR LICENSES FOR BARS**

(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 as defined in Section 102 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 a wine and beer bar with an ABC license type 42, which may include incidental food services; and

(2) The establishment maintains only an ABC license type 42. Other ABC license types, except those that are included within the definition of a Restaurant pursuant to Section 102, are not permitted for those uses subject to this Section.

(b) Subsequent to the granting of a Conditional Use authorization under this Section, the Planning 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.

**(4) INNER CLEMENT STREET LIQUOR LICENSES FOR RESTAURANTS**

A Restaurant as defined in Section 102 may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place, as defined in Section 102 of this Code. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.

**(5) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD).**

Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Inner Clement 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).

(6) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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**Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>Outer Clement Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<u>Massing and Setbacks</u>		

<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheets HT03 and HT04 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>.5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>RESIDENTIAL STANDARDS AND USES</b>				
<i>Development Standards</i>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<i>80 square feet per unit if private, or 100 square feet per unit if common</i>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<i>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</i>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<i>Not required</i>		
<i>Use Characteristics</i>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<i>P</i>		
<u>Student Housing</u>	<u>§ 102</u>	<i>P</i>		
<i>Residential Uses</i>				
		<i>Controls By Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<u>Residential Uses</u>	<u>§ 102</u>	<i>P</i>	<i>P</i>	<i>P</i>
<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<i>1 unit per 600 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</i>		
<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<u>Group Housing Density</u>	<u>§ 208</u>	<i>1 bedroom per 210 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</i>		
<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss of Dwelling Units</i>				
		<i>Controls by Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<u>Residential Conversion</u>	<u>§ 317</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<i>C</i>	<i>C</i>	<i>C</i>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<b><u>Commercial Use Characteristics</u></b>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 11 p.m.; C 11 p.m.- 2 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section 703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere(4)</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
		<b><u>Controls by Story</u></b>		
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Automotive Use Category</u></b>				
<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>NP</u>

<u>Entertainment, Arts and Recreation Use Category</u>				
<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Industrial Use Category</u>				
<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use Category</u>				
<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Sales and Service Use Category</u>				
<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(3)</u>	<u>NP(3)</u>	<u>NP(3)</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>



<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for 13 or more children.

(2) C required for seven or more persons.

(3) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD). Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Outer Clement 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).

(4) Outdoor Activity Areas are permitted as a Principally Permitted U if they existed prior to 1985.

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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**Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

		<u>Upper Fillmore NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<u>Massing and Setbacks</u>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheet HT02 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>

<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>CU required for the entirety of California Street.</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>

<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		

**Use Characteristics**

<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		

**Residential Uses** **Controls By Story**

<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
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<u>Dwelling Unit Density</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>		
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<u>Senior Housing Density</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
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<u>Group Housing Density</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>		
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<u>Accessory Dwelling Unit Density</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
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<u>Homeless Shelter Density</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
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**Loss of Dwelling Units** **Controls by Story**

<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				

1	<u>Floor Area Ratio</u>	§§ 102, 123, 124	2.5 to 1		
2	<u>Use Size</u>	§§102, 121.2	P up to 2,499 square feet; C 2,500 square feet and above		
3	<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.		
4					
5					
6	<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.		
7					
<b>Commercial-Use Characteristics</b>					
8	<u>Drive-up Facility</u>	§102	NP		
9	<u>Formula Retail</u>	§§102, 303.1	C		
10	<u>Hours of Operation</u>	§102	P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.		
11	<u>Maritime Use</u>	§102	NP		
12	<u>Open Air Sales</u>	§§102, 703(b)	See Section 703(b)		
13	<u>Outdoor Activity Area</u>	§§102, 145.2	P if located in front; C if located elsewhere		
14	<u>Walk-up Facility</u>	§102	P		
<b>Controls by Story</b>					
<u>Agricultural Use Category</u>			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
15	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	P	P	P
16	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
17	<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP
<b>Automotive Use Category</b>					
18	<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5	NP	NP	NP
19	<u>Parking Garage, Private</u>	§102	C	C	C
20	<u>Parking Garage, Public</u>	§102	C	C	C
21	<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
22	<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
<b>Entertainment, Arts and Recreation Use Category</b>					
23	<u>Entertainment, Arts and Recreation Uses*</u>	§102	NP	NP	NP
24	<u>Entertainment, General</u>	§102	C	NP	NP
25	<u>Entertainment, Nighttime</u>	§102	C	NP	NP
	<u>Movie Theater</u>	§§102, 202.4	P	NP	NP

1	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>Industrial Use Category</u>				
4	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Institutional Use Category</u>				
6	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
7	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
8	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
10	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
11	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
13	<u>Sales and Service Use Category</u>				
14	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>P</u>	<u>NP</u>
15	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
17	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C(3)</u>	<u>NP</u>	<u>NP</u>
18	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
20	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
21	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
22	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
23	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(4)(5)</u>	<u>NP</u>	<u>NP</u>
26	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(5)</u>	<u>NP</u>	<u>NP</u>
27	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
28	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
29	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
30	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
31	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
32	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
33	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
34	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>

<i>Trade Office</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>NP</i>
<b><i>Utility and Infrastructure Use Category</i></b>				
<b><i>Utility and Infrastructure*</i></b>	<i>§102</i>	<i>C(6)</i>	<i>C(6)</i>	<i>C(6)</i>
<i>Power Plant</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Public Utilities Yard</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>

*\* Not listed below*

*(1) C required for 13 or more children*

*(2) C required for seven or more persons.*

*(3) A new bar will be allowed with a Conditional Use authorization from the Planning Commission only in conjunction with a Restaurant use.*

*(4) In considering a Conditional Use for a Restaurant, the Planning Commission shall consider whether the use proposes lunch service or other daytime usage in order to limit the number of such establishments on the block that have no daytime activity.*

*(5) Formula Retail NP for this use*

*(6) C if a Macro WTS Facility; P if a Micro WTS Facility.*

**SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

\* \* \* \*

**Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Haight Street NCD Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<i>Height and Bulk Limits.</i>	<i>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</i>	<i>40-X. See Height and Bulk Map Sheets HT06 and HT07 for more information. Height sculpting required on Alleys per §261.1.</i>
<i>5 Foot Height Bonus for Active Ground Floor Uses</i>	<i>§ 263.20</i>	<i>NP</i>
<i>Rear Yard</i>	<i>§ 130 § 134, 134(a)(e)</i>	<i>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</i>
<i>Front Setback and Side Yard</i>	<i>§§130, 131, 132, 133</i>	<i>Not Required.</i>

<u>Street Frontage and Public Realm</u>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<u>Miscellaneous</u>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>

<i>Student Housing</i>	<u>§ 102</u>	<u>P</u>		
<b><i>Residential Uses</i></b>		<b><i>Controls By Story</i></b>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup>+</i>
<i>Residential Uses</i>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<i>Dwelling Unit Density</i>	<u>§§ 102, 207</u>	<i>1 unit per 600 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</i>		
<i>Senior Housing Density</i>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<i>Group Housing Density</i>	<u>§ 208</u>	<i>1 bedroom per 210 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</i>		
<i>Accessory Dwelling Unit Density</i>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelters</i>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<b><i>Loss of Dwelling Units</i></b>		<b><i>Controls by Story</i></b>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup>+</i>
<i>Residential Conversion</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<i>Residential Demolition and Merger</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<i>Floor Area Ratio</i>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<i>Use Size</i>	<u>§§102, 121.2</u>	<i>P up to 2,499 square feet; C 2,500 square feet and above</i>
<i>Off-Street Parking Requirements</i>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<i>No car parking required if Occupied Floor Area is less than 5,000 sq. ft. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>



1	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
2	<b>Commercial Use Characteristics</b>				
3	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
4	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
5	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
6	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
7	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section 703(b)</u>		
8	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
9	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
10	<b>Controls by Story</b>				
11	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
12	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
13	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<b>Automotive Use Category</b>				
16	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<b>Entertainment, Arts and Recreation Use Category</b>				
23	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
25	<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
26	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
27	<u>Movie Theater</u>	<u>§§ 102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
28	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
29	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
30	<b>Industrial Use Category</b>				
31	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
32	<b>Institutional Use Category</b>				

<u><i>Institutional Uses*</i></u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u><i>Child Care Facility</i></u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
<u><i>Hospital</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Job Training</i></u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u><i>Medical Cannabis Dispensary</i></u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u><i>Philanthropic Admin. Services</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Public Facilities</i></u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u><i>Residential Care Facility</i></u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>

<u><i>Sales and Service Use Category</i></u>				
<u><i>Retail Sales and Service Uses*</i></u>	<u>§§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u><i>Adult Business</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Animal Hospital</i></u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u><i>Bar</i></u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Grocery, General</i></u>	<u>§102, 202.3</u>	<u>P(3)</u>	<u>C(3)</u>	<u>NP</u>
<u><i>Grocery, Specialty</i></u>	<u>§102</u>	<u>P(3)</u>	<u>C(3)</u>	<u>NP</u>
<u><i>Hotel</i></u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u><i>Kennel</i></u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u><i>Liquor Store</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Massage Establishment</i></u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u><i>Massage, Foot/Chair</i></u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u><i>Mortuary</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Motel</i></u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Pharmacy</i></u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>C(3)</u>	<u>NP</u>
<u><i>Restaurant</i></u>	<u>§§102, 202.2(a)</u>	<u>NP(3)(4)</u>	<u>NP</u>	<u>NP</u>
<u><i>Restaurant, Limited</i></u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u><i>Retail Sales and Service, General</i></u>	<u>§102</u>	<u>P(3)</u>	<u>C(3)</u>	<u>NP</u>
<u><i>Services, Financial</i></u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u><i>Services, Fringe Financial</i></u>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
<u><i>Services, Health</i></u>	<u>§102</u>	<u>NP</u>	<u>C</u>	<u>NP</u>
<u><i>Services, Limited Financial</i></u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u><i>Storage, Self</i></u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u><i>Tobacco Paraphernalia Store Establishment</i></u>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
<u><i>Trade Shop</i></u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>

<i>Non-Retail Sales and Service*</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Design Professional</i>	<i>§102</i>	<i>P</i>	<i>C</i>	<i>NP</i>
<i>Trade Office</i>	<i>§102</i>	<i>P</i>	<i>C</i>	<i>NP</i>
<i>Utility and Infrastructure Use Category:</i>				
<i>Utility and Infrastructure*</i>	<i>§102</i>	<i>C(7)</i>	<i>C(7)</i>	<i>C(7)</i>
<i>Power Plant</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Public Utilities Yard</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>

*\* Not listed below*

*(1) C required for 13 or more children.*

*(2) C required for seven or more persons.*

*(3) HAIGHT STREET ALCOHOL RESTRICTED USE SUBDISTRICT: Retail establishments selling off-sale or on-sale alcoholic beverages are not permitted pursuant to Section 781.9.*

*(4) HAIGHT STREET RESTAURANTS*

*Boundaries: Applicable to the Haight Street Neighborhood Commercial District and Haight Street Alcohol Restricted Use Subdivision.*

*Controls: A Restaurant 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 3 Restaurants in accordance with this Section. Should a 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 Restaurant in accordance with the terms of this Section.*

*(5) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)*

*Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Haight 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).*

*(6) TOBACCO PARAPHERNALIA ESTABLISHMENTS – the special definition of "Tobacco Paraphernalia Establishments" applicable to the Haight Street Neighborhood Commercial District shall be repealed three years after its initial effective date, unless the Board of Supervisors, on or before that date, extends or re-enacts it. In the Haight Street Neighborhood Commercial District, the period of non-use for a non-conforming Tobacco Paraphernalia Establishment to be deemed discontinued shall be 18 months.*

*(7) C if a Macro WTS Facility; P if a Micro WTS Facility.*

*(8) Within the Haight Street Neighborhood Commercial District, that portion of an General Entertainment use comprised of mechanical amusement game devices will be considered an Amusement Game Arcade Use, for the purposes of the Planning Code.*

**SEC. 720. HAYES-GOUGH EXCELSIOR OUTER MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

1 *The Hayes-Gough Neighborhood Commercial Transit District is located within walking distance*  
2 *of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern*  
3 *edge generally at Lily Street, with an extension south along both sides of Octavia Boulevard to*  
4 *Market Street. This mixed-use commercial district contains a limited range of retail commercial*  
5 *activity, which primarily caters to the immediate need of the neighborhood. The few comparison*  
6 *goods that it does provide attract clientele from a wider area outside its neighborhood, mostly*  
7 *the Performing Arts and Civic Center workers and visitors. There are a number of restaurants*  
8 *and art galleries, but other types of retail activity are limited.*

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

21 *Housing development in new buildings is encouraged above the second story, and is*  
22 *controlled not by lot area but by physical envelope controls. Existing residential units are*  
23 *protected by limitations on demolitions, mergers, subdivisions, and upper story conversions.*  
24 *Given the area's central location and accessibility to the downtown and to the City's transit*  
25 *network, accessory parking for residential uses is not required. The code controls for this*

1 *district are supported and augmented by design guidelines and policies in the Market and*  
 2 *Octavia Area Plan of the General Plan.*

3  
 4 *The Excelsior Outer Mission Street Neighborhood Commercial District is located along*  
 5 *Mission Street between Alemany Boulevard and the San Francisco-San Mateo county line. Outer*  
 6 *Mission Street is mixed use, combining street-fronting retail businesses on the ground floor and*  
 7 *housing on upper floors. The range of comparison goods and services offered is varied and often*  
 8 *includes specialty retail stores, restaurants, and neighborhood-serving offices. The area is transit-*  
 9 *oriented and the commercial uses serve residents of the area as well as residents and visitors from*  
 10 *adjacent and other neighborhoods.*

11 *The Excelsior Outer Mission Street Neighborhood Commercial District is intended to provide*  
 12 *convenience goods and services to the surrounding neighborhoods as well as limited comparison*  
 13 *shopping goods for a wider market. Housing development in new buildings is encouraged above the*  
 14 *second story. Existing residential units are protected by limitations on demolitions and upper-story*  
 15 *conversions. Parking for residential and commercial uses is not required. Buildings range in height,*  
 16 *with height limits generally allowing up to four stories. Lots vary in size, generally small- or medium-*  
 17 *sized with some very large parcels.*

18 **Table 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL**  
 19 **DISTRICT ZONING CONTROL TABLE**

		<u>Excelsior Outer Mission NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		

1	<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Generally 40-X. See Height and Bulk Map Sheets HT11 and HT12 for more information. Height Sculpting on Alleys per § 261.1.</u>
2			
3			
4	<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
5	<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
6			
7			
8	<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
9	<b><u>Street Frontage and Public Realm</u></b>		
10	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
11	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
12			
13			
14			
15	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required.</u>
16	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
17	<b><u>Miscellaneous</u></b>		
18	<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
19	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
20	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
21	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
22	<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
23	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
24			
25			

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>RESIDENTIAL STANDARDS AND USES</b>				
<i>Development Standards</i>				
<i>Usable Open Space [Per Dwelling Unit]</i>	<u>§§135, 136</u>	<i>80 square feet per unit if private, or 100 square feet per unit if common</i>		
<i>Off-Street Parking Requirements</i>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<i>Car parking not required. P up to one car for each unit; NP above. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</i>		
<i>Dwelling Unit Mix</i>	<u>§ 207.6</u>	<i>Not required</i>		
<i>Use Characteristics</i>				
<i>Single Room Occupancy</i>	<u>§ 102</u>	<i>P</i>		
<i>Student Housing</i>	<u>§ 102</u>	<i>P</i>		
<i>Residential Uses</i>		<u>Controls By Story</u>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Uses</i>	<u>§ 102</u>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Dwelling Units</i>	<u>§§ 102, 207</u>	<i>1 unit per 600 square foot lot area</i>		
<i>Senior Housing</i>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<i>Group Housing</i>	<u>§ 208</u>	<i>1 bedroom per 210 square foot lot area</i>		
<i>Accessory Dwelling Unit</i>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU all owed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelters</i>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss of Dwelling Units</i>		<u>Controls by Story</u>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Conversion</i>	<u>§ 317</u>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Residential Demolition and Merger</i>	<u>§ 317</u>	<i>C</i>	<i>C</i>	<i>C</i>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>NON-RESIDENTIAL STANDARDS AND USES</b>				

<i>Development Standards</i>				
<i>Floor Area Ratio</i>	<i>§§ 102, 123, 124</i>	<i>3.6 to 1</i>		
<i>Use Size</i>	<i>§102, 121.2</i>	<i>P up to 5,999 square feet; C 6,000 square feet and above</i>		
<i>Off-Street Parking Requirements</i>	<i>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</i>	<i>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>		
<i>Off-Street Freight Loading</i>	<i>§§ 150, 152, 153 - 155, 161, 204.5</i>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>		
<i>Commercial Use Characteristics</i>				
<i>Drive-up Facility</i>	<i>§102</i>	<i>NP</i>		
<i>Formula Retail</i>	<i>§§102, 303.1</i>	<i>C</i>		
<i>Hours of Operation</i>	<i>§102</i>	<i>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</i>		
<i>Maritime Use</i>	<i>§102</i>	<i>NP</i>		
<i>Open Air Sales</i>	<i>§§102, 703.2</i>	<i>See §703.2</i>		
<i>Outdoor Activity Area</i>	<i>§§102, 145.2</i>	<i>P if located in front; C if located elsewhere</i>		
<i>Walk-up Facility</i>	<i>§102</i>	<i>P</i>		
		<i>Controls by Story</i>		
<i>Agricultural Use Category</i>		<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
<i>Agriculture, Neighborhood</i>	<i>§§102, 202.2(c)</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Agriculture, Large Scale Urban</i>	<i>§§102, 202.2(c)</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Greenhouse</i>	<i>§§102, 202.2(c)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Use Category</i>				
<i>Automotive Uses*</i>	<i>§§102, 142, 156, 187.1, 202.2(b), 202.5</i>	<i>C</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Repair</i>	<i>§102</i>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Service, Motor Vehicle Tow</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Service, Parcel Delivery</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Vehicle Storage Garage</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Vehicle Storage Lot</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Entertainment, Arts and Recreation Use Category</i>				
<i>Entertainment, Arts and Recreation Uses*</i>	<i>§102</i>	<i>C</i>	<i>NP</i>	<i>NP</i>
<i>Arts Activities</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Entertainment, General</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>NP</i>
<i>Entertainment, Nighttime</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>NP</i>



1	<u>Movie Theater</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<b><u>Industrial Use Category</u></b>				
	<b><u>Industrial Uses</u></b>	<b><u>§§102, 202.2(d)</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
4	<b><u>Institutional Use Category</u></b>				
	<b><u>Institutional Uses*</u></b>	<b><u>§102</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
5	<u>Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
6	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR(1)</u>	<u>DR(1)</u>	<u>DR(1)</u>
7	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<b><u>Sales and Service Use Category</u></b>				
	<b><u>Retail Sales and Service Uses*</u></b>	<b><u>§§102, 202.2(a)</u></b>	<b><u>P</u></b>	<b><u>P</u></b>	<b><u>P</u></b>
9	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
10	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
11	<u>Grocery, General</u>	<u>§102</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
	<u>Grocery, Specialty</u>	<u>§102</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
12	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
14	<u>Liquor Store</u>	<u>§102</u>	<u>NP(2)</u>	<u>NP(2)</u>	<u>NP(2)</u>
15	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
16	<u>Mortuary</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
18	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
19	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(3)</u>	<u>NP(3)</u>	<u>NP(3)</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
20	<u>Storage, Self</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
22	<b><u>Non-Retail Sales and Service*</u></b>	<b><u>§102</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
23	<u>Service, Non-Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
24	<u>Storage, Commercial</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
25	<b><u>Utility and Infrastructure Use Category</u></b>				

<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) MEDICAL CANNABIS DISPENSARIES

Controls:

(a) A Medical Cannabis Dispensary (MCD) seeking to locate within 500 feet of another MCD use may be allowed as a Conditional Use; provided, however, that any amendments to regulations governing the proximity of an MCD to another MCD that are applicable to MCDs Citywide shall apply in the Excelsior Outer Mission NCD and will supersede the condition use requirement contained in this Section 745.

(b) In addition to the requirements of Planning Code Section 303, the Planning Commission shall approve the application and authorize the Conditional Use if the facts presented are such to establish that:

(i) the MCD will bring measurable community benefits and enhancements to the Excelsior Outer Mission Street Neighborhood Commercial District,

(ii) the MCD has prepared a parking and transportation management plan sufficient to address the anticipated impact of its patients,

(iii) the MCD has demonstrated a commitment to maintaining public safety by actively engaging with the community prior to applying for the Conditional Use, including adequate security measures in the operation of their business and designating a community liaison to deal effectively with current and future neighborhood concerns.

(c) In addition to the above criteria, in regard to a Conditional Use authorization application, the Planning Commission shall consider the existing concentrations of MCDs within the District.

(d) A Medical Cannabis Dispensary may only operate between the hours of 8 am and 10 pm.

(e) A Medical Cannabis Dispensary may locate above the first floor only if it shall be accessible to persons with disabilities as required under the California Building Code.

(2) OFF-SALE LIQUOR ESTABLISHMENTS. Controls:

(a) New Liquor Store uses with Type 20 or Type 21 ABC licenses are not permitted in the district; provided, however, that any use within the District with an existing Type 20 or Type 21 ABC license may obtain a new license, if required by the ABC, after it has been closed temporarily for repair, renovation, remodeling, or reconstruction.

(b) Liquor Store uses may relocate within the district with Conditional Use authorization.

(c) General Grocery, Specialty Grocery, and Liquor Store uses with off-sale alcohol licenses shall observe the following good neighbor policies:

(i) Liquor establishments shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain security, without disturbing area residences;

(ii) Advertisements in windows and clear doors are not permitted, and no more than 25% of the square footage of the windows and clear doors of liquor establishments shall bear signage of any sort, and all signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

(3) 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 Excelsior Outer Mission 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 Section 249.35(c)(3).

1 (4) C if a Macro WTS Facility; P if a Micro WTS Facility.

2  
3  
4  
5 **SEC. 721. UPPER MARKET STREET JAPANTOWN NEIGHBORHOOD COMMERCIAL**  
6 **DISTRICT.**

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

15 *This district is well served by transit and is anchored by the Castro Street Station of the Market*  
16 *Street subway and the F Market historic streetcar line. The F, K, L, and M streetcar lines traverse the*  
17 *district, and the Castro Station serves as a transfer point between light rail and crosstown and*  
18 *neighborhood bus lines. Additionally, Market Street is a primary bicycle corridor. Residential parking*  
19 *is not required and generally limited. Commercial establishments are discouraged or prohibited from*  
20 *building accessory off-street parking in order to preserve the pedestrian-oriented character of the*  
21 *district and prevent attracting auto traffic. There are prohibitions on access (i.e. driveways, garage*  
22 *entries) to off-street parking and loading on Market Street to preserve and enhance the pedestrian-*  
23 *oriented character and transit function.*

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

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

9 ~~Housing development in new buildings is encouraged above the second story. Existing upper-~~  
10 ~~story residential units are protected by limitations on demolitions and upper-story conversions.~~  
11 ~~Accessory Dwelling Units are permitted on lots within the boundaries of Board of Supervisors District~~  
12 ~~8 pursuant to Subsection 207(c)(4) of this Code.~~

13 The Japantown Neighborhood Commercial District extends between Geary Boulevard and Post  
14 Street from Fillmore Street to Laguna Street, the north side of Post Street from Webster Street to  
15 Laguna Street, and Buchanan Street from Post Street to midway between Sutter Street and Bush Street.  
16 The character of these streets is largely commercial, including large malls, although there are some  
17 residential units above the ground story. Buildings are typically two- to four-stories, although there are  
18 two taller hotels. Geary Boulevard, Fillmore Street, and Sutter Street are important public transit  
19 corridors. The commercial district provides convenience goods and services to the surrounding  
20 neighborhoods as well as shopping, cultural, and entertainment uses that attract visitors from near and  
21 far.

22 The Japantown Neighborhood Commercial District controls are designed to encourage and  
23 promote development that enhances the walkable, commercial character of this area and to support its  
24 local and regional role. New commercial development is required on the ground floor and permitted  
25 above. Most neighborhood- and visitor-serving businesses are strongly encouraged, including eating,

1 drinking, and retail uses, as long as they do not create a nuisance. Less active commercial uses are  
 2 encouraged above the ground floor, along with housing and institutional uses.

3 **Table 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT**  
 4 **ZONING CONTROL TABLE**

<b><u>Japantown NCD</u></b>		
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>50-X, and 65-A along Fillmore Street. See Height and Bulk Map Sheet HT02 for more information. Along Buchanan Street between Post and Sutter, an upper story setback of one foot for every foot above 35 feet in height from the front property line is required. Height Sculpting on Alleys per § 261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet.</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage, Above Grade Parking Setback and Active Uses</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Street Frontage, Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on Buchanan Street between Post Street and Sutter Street and Post Street between Fillmore Street and Laguna Street on the south side, between Webster Street and Laguna Street on the north side.</u>

<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on the north side of Post Street from Webster Street to Laguna Street; the south side of Post Street from Fillmore Street to Webster Street; and Buchanan Street from Post Street to Sutter Street.</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1. All Business Signs, as defined in § 602.3 are also subject to the guidelines in the "Commission Guide for Formula Retail."</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.75 cars per unit, C up to 1.00 cars per unit, NP above. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<b><u>Residential Uses</u></b>				
		<u>1<sup>st</sup> fl.</u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 400 square foot lot area</u>		

1	<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
2					
3					
4					
5	<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area</u>		
6	<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
7					
8	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
9	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
10			<u>1st (F)</u>	<u>2nd</u>	<u>3rd</u>
11	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.6 to 1</u>
<u>Use Size</u>	<u>§§ 102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Maximum permitted as set forth in Section 151.1. Bike parking required per § 155.2.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>

1	<i>Walk-up Facility</i>	<u>§102</u>	<i>P</i>		
2			<b>Controls by Story</b>		
3	<i>Agricultural Use Category</i>		<u>1st (1)</u>	<u>2nd</u>	<u>3rd</u>
4	<i>Agriculture, Neighborhood</i>	<u>§§102, 202.2(c)</u>	<i>P</i>	<i>P</i>	<i>P</i>
5	<i>Agriculture, Large Scale Urban</i>	<u>§§102, 202.2(c)</u>	<i>C</i>	<i>C</i>	<i>C</i>
6	<i>Greenhouse</i>	<u>§§102, 202.2(c)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
7	<b>Automotive Use Category</b>				
8	<i>Automotive Uses*</i>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
9	<i>Automotive Repair</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
10	<i>Automotive Sale/Rental</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
11	<i>Automotive Service Station</i>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
12	<i>Parking Garage, Private</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
13	<i>Parking Garage, Public</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
14	<i>Parking Lot, Private</i>	<u>§§102, 142, 156</u>	<i>C</i>	<i>C</i>	<i>C</i>
15	<i>Parking Lot, Public</i>	<u>§§ 102, 142, 156</u>	<i>C</i>	<i>C</i>	<i>C</i>
16	<b>Entertainment and Recreation Use Category</b>				
17	<i>Entertainment, Arts and Recreation Uses*</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
18	<i>Amusement Game Arcade</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>P</i>
19	<i>Entertainment, General</i>	<u>§102</u>	<i>P(2)</i>	<i>P(2)</i>	<i>C(2)</i>
20	<i>Entertainment, Nighttime</i>	<u>§102</u>	<i>P(2)</i>	<i>P(2)</i>	<i>C(2)</i>
21	<i>Movie Theater</i>	<u>§§102, 202.4</u>	<i>P</i>	<i>P</i>	<i>P</i>
22	<i>Open Recreation Area</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
23	<i>Passive Outdoor Recreation</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
24	<b>Industrial Use Category</b>				
25	<i>Industrial Uses</i>	<u>§§102, 202.2(d)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
26	<b>Institutional Use Category</b>				
27	<i>Institutional Uses*</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>P</i>
28	<i>Hospital</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
29	<i>Medical Cannabis Dispensary</i>	<u>§§102, 202.2(e)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
30	<i>Philanthropic Admin. Services</i>	<u>§102</u>	<i>C</i>	<i>P</i>	<i>P</i>
31	<i>Public Facilities</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
32	<b>Sales and Service Use Category</b>				
33	<i>Retail Sales and Service Uses*</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>P</i>	<i>C</i>
34	<i>Adult Business</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
35	<i>Animal Hospital</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
36	<i>Bar</i>	<u>§§102, 202.2(a)</u>	<i>P(2)</i>	<i>C(2)</i>	<i>C(2)</i>



1	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
3	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
4	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
6	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(2)</u>	<u>P(2)</u>	<u>C(2)</u>
9	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(2)</u>	<u>P(2)</u>	<u>C(2)</u>
10	<u>Services, Financial</u>	<u>§102</u>	<u>P(3)</u>	<u>C(3)</u>	<u>C(3)</u>
11	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
12	<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>P</u>
13	<u>Services, Limited Financial</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>P</u>
14	<u>Services, Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>P</u>
15	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Tobacco Paraphernalia Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
17	<u>Establishment</u>				
18	<u>Trade Shop</u>	<u>§102</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
19	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<u>Design Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>P</u>
21	<u>Service, Non-Retail Professional</u>	<u>§102</u>	<u>NP</u>	<u>C</u>	<u>C</u>
22	<u>Trade Office</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>P</u>
23	<u>Utility and Infrastructure Use Category</u>				
24	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
25	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) The controls for the 1st story shall apply to all development on Blocks 0700 and 0701.

(2) No noise or music associated with these uses shall exceed the low frequency ambient noise level defined in Section 2901(f) of the Police Code by more than 8 dBA.

(3) Only two Financial Services uses permitted on the ground floor within the District. Above the ground floor, new Financial Services uses are not permitted south of Post Street.

(4) C if a Macro WTS Facility; P if a Micro WTS Facility.

## SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Russian Hill north of

1 Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty  
2 shopping, and dining district, and a tourist attraction, as well as an apartment and residential  
3 hotel zone. Traditionally, the district has provided most convenience goods and services for  
4 residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating,  
5 drinking, and entertainment establishments remain open into the evening to serve a much  
6 wider trade area and attract many tourists. The balance between neighborhood-serving  
7 convenience stores and Citywide specialty businesses has shifted, as convenience stores  
8 have been replaced by restaurants and bars. The proliferation of financial services, limited  
9 financial services, and ~~business and~~ professional services has also upset the district's balance  
10 of uses. The relocation of business and professional offices from downtown to North Beach  
11 threatens the loss of upper-story residential units.

12 The North Beach District controls are designed to ensure the livability and  
13 attractiveness of North Beach. Building standards limit new development to a small to  
14 moderate scale. Rear yards are protected above the ground story and at residential levels.  
15 ~~Most new commercial development is permitted at the first two stories. Active commercial~~  
16 uses shall be required at the ground floor. Small-scale, neighborhood-serving businesses are  
17 strongly encouraged and formula retail uses are prohibited. To preserve and maintain the  
18 district's small-scale, fine grain storefronts, the consolidation or merger of existing retail or  
19 commercial spaces or storefronts are prohibited, and Use ~~s~~ Sizes are controlled to limit future  
20 ~~consolidation of spaces and to encourage conversion back to the traditional small-scale~~  
21 commercial spaces. Special controls are necessary because an over-concentration of food  
22 and beverage service establishments limits neighborhood-serving retail sales and personal  
23 services in an area that needs them to thrive as a neighborhood. In order to maintain  
24 neighborhood-serving retail sales and personal services and to protect residential livability,  
25 additional eating and drinking establishments are prohibited in spaces that have been

1 occupied by neighborhood-serving retail sales and personal services. Special controls limit  
 2 additional ground-story entertainment uses and prohibit new walk-up *facilities automated bank*  
 3 *teller machines (ATMs)*. Financial services, limited financial services, and ground-story business  
 4 and professional office uses are prohibited from locating in the portion of the district south of  
 5 Greenwich Street, while new financial services locating in the portion of the district north of  
 6 Greenwich Street are limited. Restrictions on automobile and drive-up uses are intended to  
 7 promote continuous retail frontage and maintain residential livability.

8 In keeping with the district's existing mixed-use character, housing development in new  
 9 buildings is encouraged above the ~~second-story~~ ground floor. Existing residential units are  
 10 protected by prohibitions of upper-story conversions, *mergers*, *removals*, and *limitations on*  
 11 *demolitions*. *Per Section 207(c)(4) of this Code*, Accessory ~~d~~Dwelling ~~u~~Units are permitted within  
 12 the *existing building envelope, but may not eliminate or reduce ground-story retail or commercial*  
 13 *space district pursuant to Subsection 207(c)(4) of this Code*.

14 **Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT**  
 15 **ZONING CONTROL TABLE**

		<u>North Beach NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	40-X. See <u>Height and Bulk Map Sheet HT01 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	NP

1	<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)-(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
2			
3	<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
4	<b><u>Street Frontage and Public Realm</u></b>		
5	<u>Restrictions on Lot Mergers</u>	<u>§121.7</u>	<u>Restrictions on lot mergers resulting in a lot with a single public street or private frontage greater than</u>
6			<u>25 feet. For lots that do not have a street frontage, the merger would not result in a lot width greater than 25 feet.</u>
7			
8	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
9	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
10			
11			
12			
13	<u>Ground Floor Commercial</u>	<u>§§ 145.4, 780.3</u>	<u>Required within the entire District. Consolidation of ground floor Retail or Commercial spaces is prohibited.</u>
14	<u>Vehicle Access Restrictions</u>	<u>§ 155(r) and (t)</u>	<u>Prohibited on Columbus Avenue between Washington and North Point Streets, Grant Avenue between Columbus Avenue and Filbert Street, and Green Street between Grant Avenue and Columbus/Stockton Streets, and Alleys in the NBNCD and Telegraph Hill-NB Residential SUD. Mandatory discretionary review required to install garages in buildings with four or more units.</u>
15			
16			
17			
18	<b><u>Miscellaneous</u></b>		
19	<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
20	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>G NP</u>
21	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
22	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1. Vintage Signs permitted per Section 608.14.</u>
23	<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
24			
25			

<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the General Plan's Urban Design Guidelines and historic resource consideration. Properties in this District have been identified as potentially eligible for National Register or California Register.</u>
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<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>60 square feet per unit if private, or 80 square feet per unit if common</u>		
<u>Off Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>No car parking required. P up to 0.5 parking spaces for each Dwelling Unit; C up to 0.75 parking spaces for each Dwelling Unit. (1) Per 155(t), special controls when installing garages in Residential Buildings. Bike parking required per §155.2</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<b><u>Residential Uses</u></b>				
		<b><u>Controls By Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§§ 102</u>	<u>P NP(11)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 400 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 140 square foot lot area.</u>		
<u>Accessory Dwelling Units</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<b><u>Loss of Dwelling Units</u></b>				
		<b><u>Controls by Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>

<u>Residential Conversion</u>	<u>§ 317</u> <u>780.3(c)(4).</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§§ 317.</u> <u>780.3(c)(4)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

<u>Zoning Category</u>	<u>§</u> <u>References</u>	<u>Controls</u>		
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**NON-RESIDENTIAL STANDARDS AND USES**

**Development Standards**

<u>Floor Area Ratio</u>	<u>§§ 102, 123,</u> <u>124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2,</u> <u>780.3(c)(3)</u>	<u>P up to 1,999 square feet; C 2,000 square feet to 3,999 square feet; NP 4,000 square feet and above. Specialty Grocery use shall not exceed a Use Size of 1,000 square feet within the North Beach Special Use District.</u>
<u>Off Street Parking Requirements</u>	<u>§§ 150, 151,</u> <u>155(r) and (t),</u> <u>161</u>	<u>Car parking not required. Limits set forth in § 151.1. Bike parking required per Section 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166. See restrictions under Vehicular Access.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152,</u> <u>153 - 155, 161,</u> <u>204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161. See restrictions under Vehicular Access.</u>
<u>Storefront Mergers</u>	<u>§ 780.3(c)(3)</u>	<u>Storefront mergers NP and Specialty Grocery use shall not exceed a Use Size of 1,000 square feet within the North Beach Special Use District.</u>

**Commercial Use Characteristics**

<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>NP</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; NP 2 a.m. - 6 a.m.</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section §703(b)</u>
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>
<u>Walk-up Facility</u>	<u>§102</u>	<u>NP (2)</u>

<u>Agricultural Use Category</u>	<u>§</u>	<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture Uses*</u>	<u>§§102,</u> <u>202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Agriculture, Neighborhood Agriculture</u>	<u>§§102,</u> <u>202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>

**Automotive Use Category**

<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5, 145.4	<u>NP (11)</u>	<u>NP</u>	<u>NP</u>
Automotive Repair	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
Parking Garage, Private	§102	<u>C</u>	<u>C</u>	<u>C</u>
Parking Garage, Public	§102	<u>C</u>	<u>C</u>	<u>C</u>
Parking Lot, Private	§§102, 142, 156	<u>C</u>	<u>NP</u>	<u>NP</u>
Parking Lot, Public	§§ 102, 142, 156	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Arts and Recreation Use Category</u>				
<u>Entertainment, Arts and Recreation Uses*</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	§§102, 202.4	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Industrial Use Category</u>				
<u>Industrial Uses</u>	§§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use Category</u>				
<u>Institutional Uses*</u>	§102	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	§102	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
<u>Hospital</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	§§102, 145.4	<u>P NP</u>	<u>P(4)</u>	<u>P(4)</u>
<u>Sales and Service Use Category</u>				
<u>Retail Sales and Service Uses*</u>	§§102, 202.2(a), 202.3	<u>P(10)</u>	<u>P(10)</u>	<u>NP</u>
<u>Adult Business</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	§§102, 202.2(a), 780.3	<u>C (5) (6)</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Kenel</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	§§102, 303(n)	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	§102	<u>P</u>	<u>NP</u>	<u>NP</u>

<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a), 780.3</u>	<u>C(5)(6)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a), 780.3</u>	<u>C(5)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102, 781.6</u>	<u>C(7)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102, 781.6</u>	<u>NP(8)</u>	<u>NP(8)</u>	<u>NP(8)</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>C(2)(7)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Retail Professional</u>	<u>§102</u>	<u>C(7)</u>	<u>P</u>	<u>NP</u>
<u>Specialty Food Manufacturing</u>	<u>§780.3(c)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Establishment Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102, 790.124</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102, 781.6</u>	<u>C(7)</u>	<u>P</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102, 781.6</u>	<u>C(7)</u>	<u>P</u>	<u>NP</u>
<b><u>Utility and Infrastructure Use Category</u></b>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(9)</u>	<u>C(9)</u>	<u>C(9)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Utility Installation</u>	<u>§§102, 145.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) NORTH BEACH OFF-STREET PARKING, RESIDENTIAL (Section 155(t))

Boundaries: North Beach NCD

Controls:

(a) Installing a garage in an existing residential building of four or more units requires a mandatory Discretionary Review by the Planning Commission; Section 311 notice is required for a building of less than four units. In approving installation of the garage, the Commission shall find that:

(i) the proposed garage opening/addition of off-street parking will not cause the "removal" or "conversion of residential unit," as those terms are defined in Section 317 of this Code;

(ii) the proposed garage opening/addition of off-street parking will not substantially decrease the livability of a dwelling unit without increasing the floor area in a commensurate amount;

(iii) the building has not had two or more "no-fault" evictions, as defined in 37.9(a)(7)-(13) of the San Francisco Administrative Code, with each eviction associated with a separate unit(s) within the past ten years.

(iv) the garage would not front on a public right-of-way narrower than 41 feet, and

(v) the proposed garage/addition of off-street parking installation is consistent with the Priority Policies of Section 101.1 of this Code.

(b) Prior to the Planning Commission hearing, or prior to issuance of notification under Section 311(c)(2) of this Code, the Planning Department shall require a signed affidavit by the project sponsor attesting to (1), (2), and (3) above, which the Department shall independently verify. The Department shall also have made a determination that the project complies with (4) and (5) above.



1 (2) NORTH BEACH WALK UP FACILITIES: Walk-up facilities are NP in the District, including automated bank  
2 teller machines (ATMs).

3 (3) C required for 13 or more children.

4 (4) C required for seven or more persons.

5 (5) NORTH BEACH SPECIAL USE DISTRICT (Section 780.3): Restaurants, Limited-Restaurants and Bars may be  
6 permitted as a Conditional Use on the First Story per Section 303 only if the Zoning Administrator first determines  
7 that the Restaurant, Limited Restaurant, or Bar would occupy a space that is currently or was last occupied by the  
8 same use as that being proposed; provided that such use has not been discontinued or abandoned pursuant to  
9 Sections 186.1(d) or 178(d) of this Code; and provided further that the following shall apply: (A) a Bar could  
10 occupy a space that is currently or was last legally occupied by a Bar, (B) a Restaurant could occupy a space that  
11 is currently or was last legally occupied by a Restaurant or Bar, and (C) a Limited Restaurant could occupy a  
12 space that is currently or was last legally occupied by a Limited Restaurant, Restaurant, or Bar. **Except as**  
13 **provided herein, no other use shall be allowed to convert to a Limited Restaurant,**  
14 **Restaurant or Bar.**

15 (6) NORTH BEACH LIQUOR LICENSES FOR RESTAURANTS (Section 780.3): A Restaurant Use may only add  
16 ABC license types 47, 49 or 75 as a Conditional Use on the **ground level First Story** if, in addition to the  
17 criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide  
18 Eating Place as defined in Section 790.142. Should a Restaurant fail to operate as a Bona Fide Eating Place for  
19 any length of time, the Conditional Use authorization shall be subject to immediate revocation. To verify that the  
20 Restaurant is continuing to operate as a Bona Fide Eating Place, records of the Restaurant's gross receipts,  
21 showing that a minimum of 51% of its gross receipts within the last year is from food sales prepared and sold to  
22 guests on the premises, shall be provided to the Department upon request. All records and information shall be  
23 submitted to the Department under penalty of perjury.

24 (7) NORTH BEACH FINANCIAL SERVICE, LIMITED FINANCIAL SERVICE, AND BUSINESS OR  
25 PROFESSIONAL SERVICE SUBDISTRICT (Section 781.6)

**Boundaries:** Applicable only for portions of the North Beach NCD south of Greenwich Street as mapped on  
Sectional Map SU01.

**Controls:** Financial Services and Limited Financial Services are NP at all stories; Retail Professional Services,  
Design Professional, and Trade Office are NP at the First story.

(8) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) SECTION 249.35

**Boundaries:** The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the North Beach 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).

(9) C if a Macro WTS Facility; P if a Micro WTS Facility.

(10) Per the North Beach Special Use District in Section 780.3(c)(3) of this Code, Specialty Grocery use shall not  
exceed a Use Size of 1,000 square feet in order to preserve and maintain the district's small-scale, fine grain  
storefronts.

(11) GROUND FLOOR COMMERCIAL USES REQUIRED

**Boundaries:** North Beach NCD

**Controls:** Unless otherwise prohibited or limited by Section 780.3, Section 722, or any other section of this Code, to promote active, pedestrian-oriented streetscape, Active Commercial uses shall be required at the Ground Floor pursuant to Section 145.4. Per Section 145.4(c)(1), "active commercial uses" shall not include Automotive Uses except for Automobile Sale or Rental uses where curb-cuts, garage doors, or loading access are not utilized or proposed and such sales or rental activity is entirely within an enclosed building and does not encroach on surrounding sidewalks or open spaces.

**SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

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**Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

		<u>Polk Street NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>65-A, 80-A, and 130-E. See Height and Bulk Map Sheet HT02 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Rear Yard</u>	<u>§ 130 § 134, 134(a)(e)</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building; 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<i>Street Frontage and Public Realm</i>		

<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>CU required for the entirety of California Street.</u>
<u>Lot Size (Per Development)</u>	<u>§§102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Miscellaneous</u>		
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>60 square feet per unit if private, or 80 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>

<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 400 square foot lot area; or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
<u>Residential Density, Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 140 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Accessory Dwelling Units</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope, 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>

<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
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**Commercial Use Characteristics**

<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section 703(b)</u>
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>

**Controls by Story**

<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

**Automotive Use Category**

<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>

**Entertainment, Arts and Recreation Use Category**

<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>

**Industrial Use Category**

<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
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**Institutional Use Category**

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	<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
1	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
2	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
4	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
6	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
7	<b><u>Sales and Service Use Category</u></b>				
8	<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>P</u>	<u>NP</u>
9	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
14	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
16	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
17	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(3)</u>	<u>NP</u>	<u>NP</u>
20	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
21	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
22	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(4)</u>	<u>NP(4)</u>	<u>NP(4)</u>
23	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
		<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<b><u>Non-Retail Sales and Service*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<b><u>Utility and Infrastructure Use Category</u></b>				
	<b><u>Utility and Infrastructure*</u></b>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

1 (1) C required for 13 or more children

2 (2) C required for seven or more persons.

3 (3) POLK STREET LIQUOR LICENSES FOR RESTAURANTS: A Restaurant use may only add ABC license  
4 types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section  
5 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place. Should a  
6 Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use  
7 authorization shall be subject to immediate revocation.

8 (4) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD): Boundaries: The FFSRUD  
9 and its ¼ mile buffer includes, but is not limited to, properties within the North of Market Residential  
10 Special Use District; and includes some properties within the Polk Street Neighborhood Commercial  
11 District.

12 Controls: Within the FFSRUD and its ¼ mile buffer, Fringe Financial Services are NP pursuant to Section  
13 249.35. Outside the FFSRUD and its ¼ mile buffer, Fringe Financial Services are P subject to the  
14 restrictions set forth in Subsection 249.35(c)(3).

15 (5) TOBACCO PARAPHERNALIA ESTABLISHMENTS PROHIBITION- Tobacco Paraphernalia  
16 Establishments are not permitted in the Polk Street Neighborhood Commercial District and within one-  
17 quarter mile of the boundaries of that Neighborhood Commercial District. The special definition of  
18 "Tobacco Paraphernalia Establishments" applicable to the Polk Street Neighborhood Commercial District  
19 shall be repealed six years after its initial effective date, unless the Board of Supervisors, on or before that  
20 date, extends or re-enacts it. In the Polk Street Neighborhood Commercial District, the period of non-use  
21 for a non-conforming Tobacco Paraphernalia Establishment to be deemed discontinued shall be 18 months.

22 (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

## SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

23 \* \* \* \*

24 The Sacramento Street District controls are designed to promote adequate growth  
25 opportunities for development that is compatible with the surrounding low-density residential  
neighborhood. The building standards monitor large-scale development and protect rear yards  
at the grade level and above. Most new commercial development is permitted at the first  
story; general retail uses are permitted at the second story only if such use would not involve  
conversion of any existing housing units. Special controls are designed to protect existing  
neighborhood-serving ground-story retail uses. New Health Medical Service uses, whether  
Principal or Accessory, require a Conditional Use authorization on the ground story and are  
permitted above the ground story are. Personal and business services are restricted at the

ground story and prohibited on upper stories. Limits on new ground-story eating and drinking uses, as well as new entertainment and financial service uses, are intended to minimize the environmental impacts generated by the growth of such uses. The daytime orientation of the district is encouraged by prohibiting bars and restricting late-night commercial activity. New hotels and parking facilities are limited in scale and operation to minimize disruption to the neighborhood. Most new automobile and drive-up uses are prohibited to promote continuous retail frontage.

\* \* \* \*

**Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
**ZONING CONTROL TABLE**

		<u>Sacramento Street NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheets HT02 and HT03 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>



<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Street Frontage, Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b>RESIDENTIAL STANDARDS AND USES</b>		
<b>Development Standards</b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common.</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<b>Use Characteristics</b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>

<i>Residential Uses</i>		<i>Controls By Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Uses</i>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<i>Dwelling Units</i>	<u>§§ 102, 207</u>	<i>1 unit per 800 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</i>		
<i>Senior Housing</i>	<u>§§ 102, 202.2(f), 207</u>	<i>P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<i>Group Housing</i>	<u>§ 208</u>	<i>1 bedroom per 275 square foot lot area.</i>		
<i>Accessory Dwelling Units</i>	<u>§§ 102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelters</i>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss of Dwelling Units</i>		<i>Controls by Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Conversion</i>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<i>Residential Demolition and Merger</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<b><i>NON-RESIDENTIAL STANDARDS AND USES</i></b>		
<i>Development Standards</i>		
<i>Floor Area Ratio</i>	<u>§§ 102, 123, 124</u>	<i>1.8 to 1</i>
<i>Use Size</i>	<u>§§ 102, 121.2</u>	<i>P up to 2,499 square feet; C 2,500 square feet and above</i>
<i>Off-Street Parking Requirements</i>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<i>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>
<i>Off-Street Freight Loading</i>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>

<b>Commercial Use Characteristics</b>				
<u>Drive-up Facility</u>	§102	NP		
<u>Formula Retail</u>	§§102, 303.1	C		
<u>Hours of Operation</u>	§102	P 6 a.m. - 12 a.m.; C 12 a.m. - 6 a.m.		
<u>Maritime Use</u>	§102	NP		
<u>Open Air Sales</u>	§§102, 703(b)	See Section 703(b)		
<u>Outdoor Activity Area</u>	§§102, 145.2	P		
<u>Walk-up Facility</u>	§102	P		
<b>Controls by Story</b>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	P	P	P
<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP
<b>Automotive Use Category</b>				
<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5	NP	NP	NP
<u>Parking Garage, Private</u>	§102	C	C	C
<u>Parking Garage, Public</u>	§102	C	C	C
<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
<b>Entertainment, Arts and Recreation Use Category</b>				
<u>Entertainment, Arts and Recreation Uses*</u>	§102	NP	NP	NP
<u>Entertainment, General</u>	§102	C	NP	NP
<u>Entertainment, Nighttime</u>	§102	C	NP	NP
<u>Movie Theater</u>	§§102, 202.4	P	NP	NP
<u>Open Recreation Area</u>	§102	C	C	C
<u>Passive Outdoor Recreation</u>	§102	C	C	C
<b>Industrial Use Category</b>				
<u>Industrial Uses</u>	§§102, 202.2(d)	NP	NP	NP
<b>Institutional Use Category</b>				
<u>Institutional Uses*</u>	§102	P	C	C
<u>Child Care Facility</u>	§102	P	P(1)	P(1)
<u>Hospital</u>	§102	NP	NP	NP
<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	DR	NP	NP

1	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
4	<b><u>Sales and Service Use Category</u></b>				
5	<b><u>Retail Sales and Service Uses*</u></b>	<b><u>§§102, 202.2(a), 202.3</u></b>	<b><u>P</u></b>	<b><u>C</u></b>	<b><u>NP</u></b>
6	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
8	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Gym</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
11	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
13	<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
19	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
20	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(3)</u>	<u>NP(3)</u>	<u>NP(3)</u>
21	<u>Services, Health</u>	<u>§102</u>	<u>C(4)</u>	<u>P</u>	<u>P</u>
22	<u>Services, Instructional</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
23	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Services, Personal</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Services, Retail Professional</u>	<u>§102</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<b><u>Non-Retail Sales and Service*</u></b>	<b><u>§102</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
	<u>Design Professional</u>	<u>§102</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
	<u>Trade Office</u>	<u>§102</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
	<b><u>Utility and Infrastructure Use Category</u></b>				
	<b><u>Utility and Infrastructure*</u></b>	<b><u>§102</u></b>	<b><u>C(5)</u></b>	<b><u>C(5)</u></b>	<b><u>C(5)</u></b>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

1 (1) C required for 13 or more children

2 (2) C required for seven or more persons.

3 (3) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Sacramento Street Neighborhood Commercial District.

4 Controls: Within the FFSRUD and its 1/4 mile buffer, Fringe Financial Services are NP pursuant to Section  
5 249.35. Outside the FFSRUD and its 1/4 mile buffer, Fringe Financial Services are P subject to the restrictions set  
6 forth in subsection 249.35(c)(3).

7 (4) A Health Service Use requires a Conditional Use authorization on the ground story whether it is Principal or  
8 Accessory.

9 (5) C if a Macro WTS Facility; P if a Micro WTS Facility.

10 **SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

11 \* \* \* \*

12 **Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

13 **ZONING CONTROL TABLE**

		<u>Union Street NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheet HT02 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		

1	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
2	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
3			
4			
5	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
6	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
7	<u>Miscellaneous</u>		
8	<u>Lot Size (Per Development)</u>	<u>§§102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
9	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
10	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
11	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
12	<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
13			
14	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
15			
16			

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>

<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Accessory Dwelling Units</u>	<u>§§ 102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.0 to 1</u>
<u>Use Size</u>	<u>§§ 102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>

1	<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
2	<b>Commercial Use Characteristics</b>				
3	<u>Drive-up Facility</u>	§102	<u>NP</u>		
4	<u>Formula Retail</u>	§§102, 303.1	<u>C</u>		
5	<u>Hours of Operation</u>	§102	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
6	<u>Maritime Use</u>	§102	<u>NP</u>		
7	<u>Open Air Sales</u>	§§102, 703(b)	<u>See Section 703(b)</u>		
8	<u>Outdoor Activity Area</u>	§§102, 145.2	<u>P if located in front; C if located elsewhere</u>		
9	<u>Walk-up Facility</u>	§102	<u>P</u>		
10	<b>Controls by Story</b>				
11	<b><u>Agricultural Use Category</u></b>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
12	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<u>P</u>	<u>P</u>	<u>P</u>
13	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Greenhouse</u>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<b><u>Automotive Use Category</u></b>				
16	<b><u>Automotive Uses*</u></b>	§§102, 187.1, 202.2(b), 202.5	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Parking Garage, Private</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
18	<u>Parking Garage, Public</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Parking Lot, Private</u>	§§102, 142, 156	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Parking Lot, Public</u>	§§ 102, 142, 156	<u>C</u>	<u>C</u>	<u>C</u>
21	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
22	<b><u>Entertainment, Arts and Recreation Uses*</u></b>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Entertainment, General</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
24	<u>Entertainment, Nighttime</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Movie Theater</u>	§§102, 202.4	<u>P</u>	<u>NP</u>	<u>NP</u>
26	<u>Open Recreation Area</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
27	<u>Passive Outdoor Recreation</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
28	<b><u>Industrial Use Category</u></b>				
29	<b><u>Industrial Uses</u></b>	§§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
30	<b><u>Institutional Use Category</u></b>				
31	<b><u>Institutional Uses*</u></b>	§102	<u>P</u>	<u>C</u>	<u>C</u>
32	<u>Child Care Facility</u>	§102	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>



1	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
3	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
4	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
6	<b><u>Sales and Service Use Category</u></b>				
7	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>P</u>	<u>NP</u>
8	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
12	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u> kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
14	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(3)</u>	<u>NP</u>	<u>NP</u>
20	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
21	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
22	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(4)</u>	<u>NP(4)</u>	<u>NP(4)</u>
23	<u>Services, Health</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
24	<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
25	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<u>Services, Retail Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
	<b><u>Utility and Infrastructure Use Category</u></b>				
	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>

<i>Power Plant</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Public Utilities Yard</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>

*\* Not listed below*

*(1) C required for 13 or more children*

*(2) C required for seven or more persons.*

*(3) UNION STREET RESTAURANTS: Applicability: The following controls apply to new uses as well to significant alterations, modifications, and intensifications of existing uses pursuant to § 178(c) of the Planning Code.*

*Controls: The Planning Commission may approve a Restaurant if, in addition to meeting the criteria set forth in Section 303, 1: the use is located on the ground floor, and 2: the Planning Commission finds that an additional Restaurant would not result in a net total of more than 44 Restaurants in the Union Street Neighborhood Commercial District. The Planning Department shall apply Article 7 zoning controls for Union Street Restaurants to Conditional Use authorizations required by Planning Code § 178, including but not limited to significant alterations, modifications, and intensifications of use. No new alcoholic beverage license type 47 or 49 shall be permitted in the Union Street NCD. Transfer of an existing license type 47 or 49 from an existing Restaurant located within the Union Street NCD to another Restaurant, new or existing, located within the Union Street NCD is permitted with Conditional Use authorization, consistent with the requirements of Planning Code Section 303.*

*(4) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)*

*Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Union 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).*

*(5) C if a Macro WTS Facility; P if a Micro WTS Facility.*

**SEC. 726. VALENCIA STREET PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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

1           *The Valencia Street District has a pattern of large lots and businesses, as well as a sizable*  
2 *number of upper-story residential units. Controls are designed to permit moderate-scale buildings and*  
3 *uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving*  
4 *commercial development is encouraged mainly at the ground story. While offices and general retail*  
5 *sales uses may locate at the second story of new buildings under certain circumstances, most*  
6 *commercial uses are prohibited above the second story. In order to protect the balance and variety of*  
7 *retail uses and the livability of adjacent uses and areas, most eating and drinking and entertainment*  
8 *uses at the ground story are limited. Continuous retail frontage is promoted by prohibiting drive-up*  
9 *facilities, some automobile uses, and new nonretail commercial uses. Parking is not required, and any*  
10 *new parking is required to be set back or below ground. Active, pedestrian-oriented ground floor uses*  
11 *are required.*

12           *Housing development in new buildings is encouraged above the ground story. Housing density*  
13 *is not controlled by the size of the lot but by requirements to supply a high percentage of larger units*  
14 *and by physical envelope controls. Existing residential units are protected by prohibitions on upper-*  
15 *story conversions and limitations on demolitions, mergers, and subdivisions. Given the area's central*  
16 *location and accessibility to the City's transit network, accessory parking for residential uses is not*  
17 *required. Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4)*  
18 *of this Code.*

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

24           *The Pacific Avenue Neighborhood Commercial District controls are designed to promote a*  
25 *small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood*

1 residential character. These controls are intended to preserve livability in a largely low-rise  
 2 development residential neighborhood, enhance solar access on a narrow street right-of-way and  
 3 protect residential rear yard patterns at the ground floor. Accessory Dwelling Units are permitted  
 4 within the district pursuant to subsection 207(c)(4) of this Code.

5 **Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT**

6 **ZONING CONTROL TABLE**

		<b><u>Pacific Avenue NCD</u></b>
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X. See Height and Bulk Map Sheets HT01 and HT02 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 45% of lot depth, averaging not permitted.</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>

<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 151, 161</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 1,000 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		

<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Residential Demolition</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Residential Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.5 to 1</u>		
<u>Use Size</u>	<u>§102, 121.2</u>	<u>P up to 1,999 square feet; C 2,000 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 2,000 square feet. See chart in §151 for uses over 2,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 10 p.m.; C 10 p.m. - 2 a.m.; NP 2 a.m. to 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		

1	<u>Outdoor Activity Area</u>	<u>§§102,145.2</u>	<u>P if located in front; C if located elsewhere</u>		
2	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
3	<b><u>Controls by Story</u></b>				
4	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
5	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<b><u>Automotive Use Category</u></b>				
9	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5, 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
13	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
14	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
16	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
19	<b><u>Industrial Use Category</u></b>				
20	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<b><u>Institutional Use Category</u></b>				
22	<u>Institutional Uses*</u>	<u>§§102, 202.2(e)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Child Care Facility</u>	<u>§102</u>	<u>C(1)</u>	<u>NP</u>	<u>NP</u>
24	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
25	<u>Residential Care Facility</u>	<u>§102</u>	<u>C(2)</u>	<u>NP</u>	<u>NP</u>
	<b><u>Sales and Service Use Category</u></b>				
	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Animal Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Hotel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

<u>Kennel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(4)</u>	<u>NP(4)</u>	<u>NP(4)</u>
<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<b><u>Utility and Infrastructure Use Category</u></b>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>

\* Not listed below

(1) NP for 13 or more children

(2) NP for seven or more persons.

(3) C required if use sells alcohol

(4) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

**Boundaries:** The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Pacific Avenue 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).

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.



1  
2 **SEC. 727. RESERVED. 24TH STREET MISSION NEIGHBORHOOD COMMERCIAL**  
3 **TRANSIT DISTRICT.**

4 *The 24th Street Mission Neighborhood Commercial Transit District is situated in the Inner*  
5 *Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-use district*  
6 *provides convenience goods to its immediate neighborhood as well as comparison shopping goods and*  
7 *services to a wider trade area. The street has a great number of Latin American restaurants, grocery*  
8 *stores, and bakeries as well as other gift and secondhand stores. Most commercial businesses are open*  
9 *during the day while the district's bars and restaurants are also active in the evening. Dwelling units*  
10 *are frequently located above the ground-story commercial uses.*

11 *The 24th Street Mission Neighborhood Commercial Transit District controls are designed to*  
12 *provide potential for new development consistent with the existing scale and character. Small-scale*  
13 *buildings and neighborhood-serving uses are encouraged, and rear yard corridors above the ground*  
14 *story and at residential levels are protected. Most commercial uses are encouraged at the ground story,*  
15 *while service uses are permitted with some limitations at the second story. Special controls are*  
16 *necessary to preserve the unique mix of convenience and specialty commercial uses. In order to*  
17 *maintain convenience stores and protect adjacent livability, new bars and fast food restaurants are*  
18 *prohibited, and limitations apply to the development and operation of ground-story full-service*  
19 *restaurants, take-out food and entertainment uses. Continuous retail frontage is maintained and*  
20 *encouraged by prohibiting most automobile and drive-up uses, banning curb cuts, and requiring active,*  
21 *pedestrian-oriented ground floor uses. Parking is not required, and any new parking required to be set*  
22 *back or below ground.*

23 *Housing development in new buildings is encouraged above the ground story. Housing density*  
24 *is not controlled by the size of the lot but by requirements to supply a high percentage of larger units*  
25 *and by physical envelope controls. Existing housing units are protected by prohibitions on upper-story*

1 ~~conversions and limitations on demolitions, mergers, and subdivisions. Given the area's central~~  
 2 ~~location and accessibility to the City's transit network, accessory parking for residential uses is not~~  
 3 ~~required.~~

4 **SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.**

5 \* \* \* \*

6 **Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT**  
 7 **ZONING CONTROL TABLE**

		<u>24th Street - Noe Valley NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<i>Varies, but generally 40-X. See Height and Bulk Map Sheet HT07 for more information. Height sculpting required on Alleys per §261.1.</i>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	<i>P</i>
<u>Rear Yard</u>	§ 130 § 134, 134(a)(e)	<i>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</i>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<i>Not Required.</i>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<i>Required</i>
<u>Street Frontage Requirements</u>	§ 145.1	<i>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</i>
<u>Ground Floor Commercial</u>	§ 145.4	<i>Not Required</i>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<i>None</i>
<b><u>Miscellaneous</u></b>		

<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 4,999 square feet, C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet if private, or 100 square feet if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 600 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		

1	<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>
2	<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 210 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>
3	<u>Accessory Dwelling Units</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
4	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
5	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>
6			<u>1st                      2nd                      3rd</u>
7	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C                      NP                      NP</u>
8	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C                      C                      C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>

1	<u>Formula Retail</u>	§§102, 303.1	C		
2	<u>Hours of Operation</u>	§102	P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.		
3	<u>Maritime Use</u>	§102	NP		
4	<u>Open Air Sales</u>	§§102, 703(b)	See 703(b)		
5	<u>Outdoor Activity Area</u>	§§102, 145.2	P if located in front; C if located elsewhere		
6	<u>Walk-up Facility</u>	§102	P		
7	<b>Controls by Story</b>				
8	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
9	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	P	P	P
10	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
11	<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP
12	<b>Automotive Use Category</b>				
13	<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5	NP	NP	NP
14	<u>Parking Garage, Private</u>	§102	C	C	C
15	<u>Parking Garage, Public</u>	§102	C	C	C
16	<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
17	<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
18	<b>Entertainment, Arts and Recreation Use Category</b>				
19	<u>Entertainment, Arts and Recreation Uses*</u>	§102	NP	NP	NP
20	<u>Entertainment, General</u>	§102	C	NP	NP
21	<u>Entertainment, Nighttime</u>	§102	C	NP	NP
22	<u>Movie Theater</u>	§§102, 202.4	P	NP	NP
23	<u>Open Recreation Area</u>	§102	C	C	C
24	<u>Passive Outdoor Recreation</u>	§102	C	C	C
25	<b>Industrial Use Category</b>				
26	<u>Industrial Uses</u>	§§102, 202.2(d)	NP	NP	NP
27	<b>Institutional Use Category</b>				
28	<u>Institutional Uses*</u>	§102	P	C	C
29	<u>Child Care Facility</u>	§102	P	P(1)	P(1)
30	<u>Hospital</u>	§102	NP	NP	NP
31	<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	DR	NP	NP
32	<u>Philanthropic Admin. Services</u>	§102	NP	NP	NP
33	<u>Public Facilities</u>	§102	C	C	C
34	<u>Residential Care Facility</u>	§102	P	P(2)	P(2)
35	<b>Sales and Service Use Category</b>				
36	<u>Retail Sales and Service Uses*</u>	§§102, 202.2(a), 202.3	P	C	NP

<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C(3)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Services, Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Trade Office</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for 13 or more children

(2) C required for seven or more persons.

**(3) 24th STREET – NOE VALLEY LIQUOR LICENSES FOR RESTAURANTS**

**Boundaries:** Applicable to the 24th Street – Noe Valley Neighborhood Commercial District.

**Controls:** A Restaurant Use may only add ABC license types 47, 49 or 75 as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is operating as a Bona Fide Eating Place. Should a Restaurant fail to operate as a Bona Fide Eating Place for any length of time, the Conditional Use authorization shall be subject to immediate revocation.

1 (4) 24TH STREET – NOE VALLEY SPECIALTY RETAIL USES

2 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 ¼ mile of this District as set forth in Code §§ 710.10 and 186.

3 Controls: Formula Retail Limited-Restaurants are NP.

4 (5) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD).

5 Boundaries: The FFSRUD and its ¼ mile buffer includes portions of, but is not limited to, the 24th Street-Noe Valley Neighborhood Commercial District.

6 Controls: Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in subsection 249.35(c)(3).

7 (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

8  
9 **SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.**

10 \* \* \* \*

11 Table 729. WEST PORTAL NEIGHBORHOOD COMMERCIAL DISTRICT

12 ZONING CONTROL TABLE

		<u>West Portal NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<u>Massing and Setbacks</u>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>26-X. See Height and Bulk Map Sheets HT06 and HT12 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<u>Street Frontage and Public Realm</u>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>

<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<u>Miscellaneous</u>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet if private, or 133 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		<u>Controls By Story</u>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup>+</u>



<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Accessory Dwelling Units</u>	<u>§§ 102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§§ 102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 to 3,999 square feet; NP 4,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>

1	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
2	<b>Commercial Use Characteristics</b>				
3	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
4	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
5	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m., NP 2:00 a.m. - 6:00 a.m.</u>		
6	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
7	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See 703(b)</u>		
8	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
9	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
10			<b>Controls by Story</b>		
11	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
12	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
13	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<b>Automotive Use Category</b>				
16	<u>Automotive Uses*</u>	<u>§§102, 142, 156, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
19	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>NP</u>
20	<b>Entertainment, Arts and Recreation Use Category</b>				
21	<u>Entertainment and Recreation Uses*</u>	<u>§§102, 202.4</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
23	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
24	<b>Industrial Use Category</b>				
25	<u>Industrial Uses*</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
26	<b>Institutional Use Category</b>				
27	<u>Institutional Uses*</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
28	<u>Child Care Facility</u>	<u>§102</u>	<u>P(1)</u>	<u>P(1)</u>	<u>NP</u>
29	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
30	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
31	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
32	<u>Residential Care Facility</u>	<u>§102</u>	<u>P(2)</u>	<u>P(2)</u>	<u>NP</u>
33	<b>Sales and Service Use Category</b>				
34	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a), 202.3</u>	<u>P</u>	<u>P</u>	<u>NP</u>

<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Retail Professional</u>	<u>§102</u>	<u>C(3)</u>	<u>P</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>NP</u>
<b><u>Utility and Infrastructure Use Category</u></b>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Wireless Telecommunications Services Facilities</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>

\* Not listed below

(1) C required for 13 or more children.

(2) C required for seven or more persons.

(3) 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 uses and/or stock brokerages in the district, stock brokerages shall not be permitted.

(4) C if a Macro WTS Facility; P if a Micro WTS Facility.

SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

		<u>Inner Sunset NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<u>Varies, but generally 40-X. See Height and Bulk Map Sheets HT05 and HT06 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	<u>NP</u>
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<u>Required</u>
<u>Street Frontage Requirements</u>	§ 145.1	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	§ 145.4	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	§ 102, 121.1	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	§ 304	<u>C</u>

<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>		<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		

1	<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
2	<u>Accessory Dwelling Units</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
3	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
4	<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
5			<u>1st</u>	<u>2nd</u>	<u>3rd</u>
6	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
7	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<u>Controls by Story</u>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>

1	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
2	<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP
3	<b><u>Automotive Use Category</u></b>				
4	<b><u>Automotive Uses*</u></b>	§§102, 187.1, 202.2(b), 202.5, 202.5	NP	NP	NP
5	<u>Automotive Repair</u>	§102	C	NP	NP
6	<u>Parking Garage, Private</u>	§102	C	C	C
7	<u>Parking Garage, Public</u>	§102	C	C	C
8	<u>Parking Lot, Private</u>	§§ 102, 142, 156	C	C	C
9	<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
10	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
11	<b><u>Entertainment, Arts and Recreation Uses*</u></b>	§102	NP	NP	NP
12	<u>Entertainment, General</u>	§102	C	NP	NP
13	<u>Entertainment, Nighttime</u>	§102	C	NP	NP
14	<u>Movie Theater</u>	§§102, 202.4	P	NP	NP
15	<u>Open Recreation Area</u>	§102	C	C	NP
16	<u>Passive Outdoor Recreation</u>	§102	C	C	NP
17	<b><u>Industrial Use Category</u></b>				
18	<b><u>Industrial Uses</u></b>	§§102, 202.2(d)	NP	NP	NP
19	<b><u>Institutional Use Category</u></b>				
20	<b><u>Institutional Uses*</u></b>	§102	P	C	C
21	<u>Child Care Facility</u>	§102	P	P(1)	P(1)
22	<u>Hospital</u>	§102	NP	NP	NP
23	<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	DR	NP	NP
24	<u>Philanthropic Admin. Services</u>	§102	NP	NP	NP
25	<u>Public Facilities</u>	§102	C	C	NP
26	<u>Residential Care Facility</u>	§102	P	P(2)	P(2)
27	<b><u>Sales and Service Use Category</u></b>				
28	<b><u>Retail Sales and Service Uses*</u></b>	§102, 202.2(a)	P	C	NP
29	<u>Adult Business</u>	§102	NP	NP	NP
30	<u>Animal Hospital</u>	§102	C	NP	NP
31	<u>Bar</u>	§§102, 202.2(a)	C	NP	NP
32	<u>Hotel</u>	§102	C	C	NP
33	<u>Kennel</u>	§102	C	NP	NP
34	<u>Liquor Store</u>	§102	NP	NP	NP
35	<u>Massage Establishment</u>	§102	C	NP	NP
36	<u>Massage, Foot/Chair</u>	§102	P	NP	NP

<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(3)</u>	<u>NP(3)</u>	<u>NP(3)</u>
<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Wireless Telecommunications Services Facility</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>

\* Not listed below

(1) C required for 13 or more children.

(2) C required for seven or more persons.

(3) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Inner Sunset 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).

(4) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 731. ~~NCT-3~~ MODERATE SCALE NORIEGA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

NCT-3 Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. The NCT-3 Districts are mixed use districts that



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

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

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

22 A diversified commercial environment is encouraged for the NCT-3 District, and a wide variety  
23 of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking,  
24 entertainment, and financial service uses generally are permitted with certain limitations at the first  
25 and second stories. Auto-oriented uses are somewhat restricted. Other retail businesses, personal

1 ~~services and offices are permitted at all stories of new buildings. Limited storage and administrative~~  
2 ~~service activities are permitted with some restrictions.~~

3 ~~Housing development in new buildings is encouraged above the second story. Existing~~  
4 ~~residential units are protected by limitations on demolitions and upper-story conversions. Accessory~~  
5 ~~Dwelling Units are permitted within the district pursuant to Subsection 207(e)(4) of this Code.~~

6 The Noriega Street Neighborhood Commercial District is located in the Outer Sunset  
7 neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of  
8 Noriega Street between 19th and 27th and 30th through 33rd Avenues.

9 The District provides a selection of convenience goods and services for the residents of the  
10 Outer Sunset District. There are a high concentration of restaurants, drawing customers from  
11 throughout the City and the region. There are also a significant number of professional, realty, and  
12 business offices as well as financial institutions.

13 The Noriega Street Neighborhood Commercial District controls are designed to promote  
14 development that is consistent with its existing land use patterns and to maintain a harmony of uses that  
15 support the District's vitality. The building standards allow small-scale buildings and uses, protecting  
16 rear yards above the ground story and at residential levels. In new development, most commercial uses  
17 are permitted at the first two stories, although certain limitations apply to uses at the second story.  
18 Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and  
19 comparison shopping businesses and to protect adjacent residential livability. To protect continuous  
20 frontage, drive-up uses are prohibited and active, pedestrian-oriented ground floor uses generally must  
21 be provided, unless such uses are authorized by Conditional Use. These controls are designed to  
22 encourage the street's active retail frontage, and local fabrication and production of goods.

23 **Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
24 **ZONING CONTROL TABLE**

25

		<b><u>Noriega Street NCD</u></b>
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<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT05 and HT06 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>

<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
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<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>RESIDENTIAL STANDARDS AND USES</b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>				
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>		
<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>				
<u>Controls by Story</u>				

		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<b><u>Commercial Use Characteristics</u></b>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<b><u>Controls by Story</u></b>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Automotive Use Category</u></b>				
<u>Automotive Uses*</u>	<u>§§102, 202.2(b)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

1	<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
2	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
4	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Parking Lot, Public</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Entertainment, Arts and Recreation Use Category</u></b>					
6	<b><u>Entertainment, Arts and Recreation Uses*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
8	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
9	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
10	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
11	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Industrial Use Category</u></b>					
12	<b><u>Industrial Uses</u></b>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Institutional Use Category</u></b>					
13	<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
14	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
15	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
17	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<b><u>Sales and Service Use Category</u></b>					
20	<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a), 202.5</u>	<u>P</u>	<u>P</u>	<u>NP</u>
21	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
23	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
24	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
25	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>

1	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
2	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<u>Tobacco Paraphernalia Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
4	<u>Establishment</u>				
	<u>Trade Shop</u>	<u>§102</u>	<u>P(4)</u>	<u>C(4)</u>	<u>NP</u>
5	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
6	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
7	<u>Utility and Infrastructure Use Category</u>				
	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
8	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for 13 or more children

(2) C required for seven or more persons.

(3) Formula Retail NP for this use

(4) Subject to Formula Retail Controls

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

1 **SEC. 732. PACIFIC AVENUE IRVING STREET NEIGHBORHOOD COMMERCIAL**  
2 **DISTRICT.**

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

8 *The Pacific Avenue Neighborhood Commercial District controls are designed to promote a*  
9 *small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood*  
10 *residential character. These controls are intended to preserve livability in a largely low-rise*  
11 *development residential neighborhood, enhance solar access on a narrow street right-of-way and*  
12 *protect residential rear yard patterns at the ground floor. Accessory dwelling units are permitted within*  
13 *the district pursuant to Subsection 207(e)(4) of this Code.*

14 *The Irving Street Neighborhood Commercial District is located in the Outer Sunset*  
15 *neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of*  
16 *Irving Street between 19th and 27th Avenues. The District provides a selection of convenience goods*  
17 *and services for the residents of the Outer Sunset District. There are a high concentration of*  
18 *restaurants, drawing customers from throughout the City and the region. There are also a significant*  
19 *number of professional, realty, and business offices as well as financial institutions.*

20 *The Irving Street Neighborhood Commercial District controls are designed to promote*  
21 *development that is consistent with its existing land use patterns and to maintain a harmony of uses that*  
22 *support the District's vitality. The building standards allow small-scale buildings and uses, protecting*  
23 *rear yards above the ground story and at residential levels. In new development, most commercial uses*  
24 *are permitted at the first two stories, although certain limitations apply to uses at the second story.*  
25 *Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and*



1 comparison shopping businesses and to protect adjacent residential livability. These controls are  
 2 designed to encourage the street's active retail frontage, and local fabrication and production of  
 3 goods.

4 **Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 5 **ZONING CONTROL TABLE**

		<u>Irving Street NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheet HT05 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>

<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<b><u>Use Characteristics</u></b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<b><u>Residential Uses</u></b>		
		<b><u>Controls By Story</u></b>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup>+</u>
		<u>P</u> <u>P</u> <u>P</u>
<u>Dwelling Units</u>	<u>§§ 102, 207</u>	<u>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>
<u>Senior Housing</u>	<u>§§ 102, 202.2(f), 207</u>	<u>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</u>
<u>Group Housing</u>	<u>§ 208</u>	<u>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</u>

<u>Accessory Dwelling Unit</u>	§§102, 207(c)(4)	<i>P</i> within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.		
<u>Homeless Shelters</u>	§§ 102, 208	Density limits regulated by the Administrative Code		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Conversion</u>	§ 317	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	§ 317	<u>C</u>	<u>C</u>	<u>C</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	§§ 102, 123, 124	2.5 to 1		
<u>Use Size</u>	§102, 121.2	<i>P</i> up to 3,999 square feet; <i>C</i> 4,000 square feet and above		
<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.		
<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	§102	<u>NP</u>		
<u>Formula Retail</u>	§§102, 303.1	<u>C</u>		
<u>Hours of Operation</u>	§102	<i>P</i> 6 a.m. - 2 a.m.; <i>C</i> 2 a.m. - 6 a.m.		
<u>Maritime Use</u>	§102	<u>NP</u>		
<u>Open Air Sales</u>	§§102, 703(b)	See §703(b)		
<u>Outdoor Activity Area</u>	§§102, 145.2	<i>P</i> if located in front; <i>C</i> if located elsewhere		
<u>Walk-up Facility</u>	§102	<i>P</i>		
		<u>Controls by Story</u>		
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Use Category</u>				

1	<u>Automotive Uses*</u>	§§102, 202.2(b)	NP	NP	NP
	<u>Automotive Repair</u>	§102	C	NP	NP
2	<u>Automotive Service Station</u>	§§102, 187.1, 202.2(b), 202.5	C	NP	NP
3	<u>Gas Station</u>	§§102, 187.1, 202.2(b)	C	NP	NP
4	<u>Parking Garage, Private</u>	§102	C	C	C
5	<u>Parking Garage, Public</u>	§102	C	C	C
6	<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
7	<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	C	C
8	<u>Entertainment, Arts and Recreation Use Category</u>				
	<u>Entertainment, Arts and Recreation Uses*</u>	§102	NP	NP	NP
9	<u>Entertainment, General</u>	§102	P	NP	NP
10	<u>Entertainment, Nighttime</u>	§102	P	NP	NP
11	<u>Movie Theater</u>	§§102, 202.4	P	NP	NP
12	<u>Open Recreation Area</u>	§102	C	C	C
	<u>Passive Outdoor Recreation</u>	§102	C	C	C
13	<u>Industrial Use Category</u>				
	<u>Industrial Uses</u>	§§102, 202.2(d)	NP	NP	NP
14	<u>Institutional Use Category</u>				
	<u>Institutional Uses*</u>	§102	P	C	C
15	<u>Child Care Facility</u>	§102	P	P(1)	P(1)
16	<u>Hospital</u>	§102	NP	NP	NP
17	<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	C	NP	NP
18	<u>Philanthropic Admin. Services</u>	§102	NP	NP	NP
	<u>Public Facilities</u>	§102	C	C	C
	<u>Residential Care Facility</u>	§102	P	P(2)	P(2)
19	<u>Sales and Service Use Category</u>				
	<u>Retail Sales and Service Uses*</u>	§§102, 202.2(a)	P	P	NP
20	<u>Adult Business</u>	§102	NP	NP	NP
21	<u>Animal Hospital</u>	§102	C	NP	NP
22	<u>Bar</u>	§§102, 202.2(a)	C	NP	NP
	<u>Hotel</u>	§102	C	C	C
	<u> kennel</u>	§102	C	NP	NP
23	<u>Liquor Store</u>	§102	C	NP	NP
24	<u>Massage Establishment</u>	§102	C	NP	NP
	<u>Massage, Foot/Chair</u>	§102	P	NP	NP
25	<u>Mortuary</u>	§102	NP	NP	NP

<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P(4)</u>	<u>C(4)</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<b><u>Utility and Infrastructure Use Category</u></b>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for 13 or more children

(2) C required for seven or more persons.

(3) Formula Retail NP for this use

(4) Subject to Formula Retail Controls

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 733. UPPER MARKET TARAVAL STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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

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

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

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

1 *Accessory Dwelling Units are permitted within the district pursuant to Subsection 207(c)(4) of this*  
 2 *Code.*

3 *The Taraval Street Neighborhood Commercial District is located in the Outer Sunset*  
 4 *neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of*  
 5 *Taraval Street from 19th through 36th Avenues. The District provides a selection of convenience goods*  
 6 *and services for the residents of the Outer Sunset District. There are a high concentration of*  
 7 *restaurants, drawing customers from throughout the City and the region. There are also a significant*  
 8 *number of professional, realty, and business offices as well as financial institutions.*

9 *The Taraval Street Neighborhood Commercial District controls are designed to promote*  
 10 *development that is consistent with its existing land use patterns and to maintain a harmony of uses that*  
 11 *support the District's vitality. The building standards allow small-scale buildings and uses, protecting*  
 12 *rear yards above the ground story and at residential levels. In new development, most commercial uses*  
 13 *are permitted at the first two stories, although certain limitations apply to uses at the second story.*  
 14 *Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and*  
 15 *comparison shopping businesses and to protect adjacent residential livability. These controls are*  
 16 *designed to encourage the street's active retail frontage, and local fabrication and production of goods.*

17 **Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 18 **ZONING CONTROL TABLE**

		<u>Taraval Street NCD</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<i>Height and Bulk Limits.</i>	<i>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</i>	<i>Varies. See Height and Bulk Map Sheet HT05 for more information. Height sculpting required on Alleys per §261.1.</i>

1	<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
2	<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
3			
4			
5	<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
6	<b><u>Street Frontage and Public Realm</u></b>		
7	<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
8	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
9			
10			
11	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required.</u>
12	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
13	<b><u>Miscellaneous</u></b>		
14	<u>Lot Size (Per Development)</u>	<u>§ 102,121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
15	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
16	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
17	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
18	<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
19			
20	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
21			
22			

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		



1	<u>Usable Open Space [Per Dwelling Unit]</u>	§§135, 136	100 square feet per unit if private, or 133 square feet per unit if common		
2	<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5	A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.		
3					
4					
5	<u>Dwelling Unit Mix</u>	§ 207.6	Not required		
6	<b>Use Characteristics</b>				
7	<u>Single Room Occupancy</u>	§ 102	P		
8	<u>Student Housing</u>	§ 102	P		
9	<b>Residential Uses</b>		<b>Controls By Story</b>		
10			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
11	<u>Residential Uses</u>	§ 102	P	P	P
12	<u>Dwelling Units</u>	§§ 102, 207	1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.		
13	<u>Senior Housing</u>	§§ 102, 202.2(f), 207	P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.		
14					
15					
16	<u>Group Housing</u>	§ 208	1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.		
17					
18	<u>Accessory Dwelling Unit</u>	§§102, 207(c)(4)	P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.		
19					
20	<u>Homeless Shelters</u>	§§ 102, 208	Density limits regulated by the Administrative Code		
21	<b>Loss of Dwelling Units</b>		<b>Controls by Story</b>		
22			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
23	<u>Residential Conversion</u>	§ 317	C	C	NP
24	<u>Residential Demolition or Merger</u>	§ 317	C	C	C
25					

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<i>Development Standards</i>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§102</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151, 153 - 156, 159 - 161, 166, 204.5</u>	<u>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<i>Commercial Use Characteristics</i>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<i>Controls by Story</i>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Automotive Use Category</i>				
<u>Automotive Uses*</u>	<u>§§102, 202.2(b)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>

<i>Entertainment, Arts and Recreation Use Category</i>				
<b><u>Entertainment, Arts and Recreation Uses*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<i>Industrial Use Category</i>				
<b><u>Industrial Uses</u></b>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Institutional Use Category</i>				
<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<i>Sales and Service Use Category</i>				
<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

<u>Trade Shop</u>	<u>§102</u>	<u>P(4)</u>	<u>C(4)</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for 13 or more children

(2) C required for seven or more persons.

(3) Formula Retail NP for this use

(4) Subject to Formula Retail Controls

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 733A. NCT-1 NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.**

*NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NCT-1 Districts are located near major transit services. They are small mixed-use clusters, generally surrounded by residential districts, with small-scale neighborhood-serving commercial uses on lower floors and housing above. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on critical stretches of commercial and transit street frontages to preserve and enhance the pedestrian-oriented character and transit function. Residential parking is not required and generally limited. Commercial establishments are discouraged from building excessive accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic.*

*NCT-1 Districts are generally characterized by their location in residential neighborhoods. The commercial intensity of these districts varies. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small clusters with three or more*

1 ~~commercial establishments, commonly grouped around a corner; and in some cases short linear~~  
2 ~~commercial strips with low-scale, interspersed mixed-use (residential-commercial) development.~~  
3 ~~Building controls for the NCT-1 District promote low-intensity development which is compatible with~~  
4 ~~the existing scale and character of these neighborhood areas. Commercial development is limited to~~  
5 ~~one story. Rear yard requirements at all levels preserve existing backyard space.~~

6 ~~NCT-1 commercial use provisions encourage the full range of neighborhood-serving~~  
7 ~~convenience retail sales and services at the first story provided that the use size generally is limited to~~  
8 ~~3,000 square feet. However, commercial uses and features which could impact residential livability are~~  
9 ~~prohibited, such as auto uses, financial services, general advertising signs, drive-up facilities, hotels,~~  
10 ~~and late-night activity; eating and drinking establishments are restricted, depending upon the intensity~~  
11 ~~of such uses in nearby commercial districts.~~

12 ~~Existing residential units are protected by prohibitions of conversions above the ground story~~  
13 ~~and limitations on demolitions.~~

14 \* \* \* \*

15 **SEC. 734. NCT-2 SMALL-SCALE JUDAH STREET NEIGHBORHOOD COMMERCIAL**  
16 **TRANSIT DISTRICT.**

17 ~~NCT-2 Districts are transit-oriented mixed-use neighborhoods with small-scale commercial~~  
18 ~~uses near transit services. The NCT-2 Districts are mixed-use districts that support neighborhood-~~  
19 ~~serving commercial uses on lower floors and housing above. These Districts are well-served by public~~  
20 ~~transit and aim to maximize residential and commercial opportunities on or near major transit~~  
21 ~~services. The District's form is generally linear along transit-priority corridors, though may be~~  
22 ~~concentric around transit stations or in broader areas where multiple transit services criss-cross the~~  
23 ~~neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of~~  
24 ~~buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses,~~  
25 ~~including open space and exposure, and urban design guidelines. There are prohibitions on access~~

1 ~~(e.g., driveways, garage entries) to off-street parking and loading on critical stretches of commercial~~  
2 ~~and transit street frontages to preserve and enhance the pedestrian-oriented character and transit~~  
3 ~~function. Residential parking is not required and generally limited. Commercial establishments are~~  
4 ~~discouraged from building excessive accessory off-street parking in order to preserve the pedestrian-~~  
5 ~~oriented character of the district and prevent attracting auto traffic.~~

6 ~~NCT-2 Districts are intended to provide convenience goods and services to the surrounding~~  
7 ~~neighborhoods as well as limited comparison shopping goods for a wider market. The range of~~  
8 ~~comparison goods and services offered is varied and often includes specialty retail stores, restaurants,~~  
9 ~~and neighborhood-serving offices. The small-scale district controls provide for mixed-use buildings,~~  
10 ~~which approximate or slightly exceed the standard development pattern. Rear yard requirements above~~  
11 ~~the ground story and at residential levels preserve open space corridors of interior blocks.~~

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

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

20 The Judah Street Neighborhood Commercial District is located in the Outer Sunset  
21 neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of  
22 Judah Street from 29th through 33rd Avenues. The District provides a selection of convenience goods  
23 and services for the residents of the Outer Sunset District. There are a high concentration of  
24 restaurants, drawing customers from throughout the City and the region. There are also a significant  
25 number of professional, realty, and business offices as well as financial institutions.

1            The Judah Street Neighborhood Commercial District controls are designed to promote  
 2 development that is consistent with its existing land use patterns and to maintain a harmony of uses that  
 3 support the District's vitality. The building standards allow small-scale buildings and uses, protecting  
 4 rear yards above the ground story and at residential levels. In new development, most commercial uses  
 5 are permitted at the first two stories, although certain limitations apply to uses at the second story.  
 6 Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and  
 7 comparison shopping businesses and to protect adjacent residential livability. These controls are  
 8 designed to encourage the street's active retail frontage, and local fabrication and production of  
 9 goods.

10            **Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT**

11            **ZONING CONTROL TABLE**

<b><u>Judah Street NCD</u></b>		
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheet HT05 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>

1	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
2	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
3	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
4	<u>Miscellaneous</u>		
5	<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
6	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
7	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
8	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
9	<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
10	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 151, 161, 166</u>	<u>A minimum of one car parking space for every Dwelling Unit required. Certain exceptions permitted per §161. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>Not required</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		<u>Controls By Story</u>



<i>Residential Uses</i>				
	<i>§ 102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Dwelling Units</i>	<i>§§ 102, 207</i>	<i>1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</i>		
<i>Senior Housing</i>	<i>§§ 102, 202.2(f), 207</i>	<i>P up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all the requirements of § 202.2(f)(1). C up to twice the number of Dwelling Units otherwise permitted as a Principal Use in the district and meeting all requirements of Section § 202.2(f)(1), except for § 202.2(f)(1)(D)(iv), related to location.</i>		
<i>Group Housing</i>	<i>§ 208</i>	<i>1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.</i>		
<i>Accessory Dwelling Unit</i>	<i>§§102, 207(c)(4)</i>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelters</i>	<i>§§ 102, 208</i>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss of Dwelling Units</i>				
<i>Controls by Story</i>				
		<i>1st</i>	<i>2nd</i>	<i>3rd</i>
<i>Residential Conversion</i>	<i>§ 317</i>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Residential Demolition or Merger</i>	<i>§ 317</i>	<i>C</i>	<i>C</i>	<i>C</i>

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<b><i>NON-RESIDENTIAL STANDARDS AND USES</i></b>		
<i>Development Standards</i>		
<i>Floor Area Ratio</i>	<i>§§ 102, 123, 124</i>	<i>2.5 to 1</i>
<i>Use Size</i>	<i>§§ 102, 121.2</i>	<i>P up to 3,999 square feet; C 4,000 square feet and above</i>
<i>Off-Street Parking Requirements</i>	<i>§§ 150, 151, 161</i>	<i>No car parking required if Occupied Floor Area is less than 5,000 square feet. See chart in §151 for uses over 5,000 square feet. See §161 for car parking waiver. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>

1	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
2	<b>Commercial Use Characteristics</b>				
3	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
4	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
5	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
6	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
7	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
8	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
9	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
10	<b>Controls by Story</b>				
11	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
12	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
13	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<b>Automotive Use Category</b>				
16	<u>Automotive Uses*</u>	<u>§§102, 202.2(b)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
19	<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
20	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
23	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
24	<b>Entertainment, Arts and Recreation Use Category</b>				
25	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b>Industrial Use Category</b>				

1	<u>Industrial Uses</u>	<u>§§102.</u> <u>202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Institutional Use Category</u>				
3	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
4	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(1)</u>	<u>P(1)</u>
5	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
6	<u>Job Training</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
7	<u>Medical Cannabis Dispensary</u>	<u>§§102.</u> <u>202.2(e)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
8	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
11	<u>Sales and Service Use Category</u>				
12	<u>Retail Sales and Service Uses*</u>	<u>§§102.</u> <u>202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
13	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<u>Bar</u>	<u>§§102.</u> <u>202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
16	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
17	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
19	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
20	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
21	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Motel</u>	<u>§§102.</u> <u>202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Restaurant</u>	<u>§§102.</u> <u>202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
24	<u>Restaurant, Limited</u>	<u>§§102.</u> <u>202.2(a)</u>	<u>P(3)</u>	<u>NP</u>	<u>NP</u>
25	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Trade Shop</u>	<u>§102</u>	<u>P(4)</u>	<u>C(4)</u>	<u>NP</u>
	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>

<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

- (1) C required for 13 or more children
- (2) C required for seven or more persons.
- (3) Formula Retail NP for this use
- (4) Subject to Formula Retail Controls
- (5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 750. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.**

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NCT-1 Districts are located near major transit services. They are small mixed-use clusters, generally surrounded by residential districts, with small-scale neighborhood-serving commercial uses on lower floors and housing above. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on critical stretches of commercial and transit street frontages to preserve and enhance the pedestrian-oriented character and transit function. Residential parking is not required and generally limited. Commercial establishments are discouraged from building excessive accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic.

NCT-1 Districts are generally characterized by their location in residential neighborhoods. The commercial intensity of these districts varies. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small clusters with three or more commercial establishments, commonly grouped around a corner; and in some cases short linear commercial strips with low-scale, interspersed mixed-use (residential-commercial) development. Building controls for the NCT-1 District promote low-intensity development which is compatible with

1 the existing scale and character of these neighborhood areas. Commercial development is limited to  
 2 one story. Rear yard requirements at all levels preserve existing backyard space.

3 NCT-1 commercial use provisions encourage the full range of neighborhood-serving  
 4 convenience retail sales and services at the First Story provided that the Use Size generally is limited to  
 5 3,000 square feet. However, commercial uses and features which could impact residential livability are  
 6 prohibited, such as auto uses, financial services, general advertising signs, drive-up facilities, hotels,  
 7 and late-night activity; eating and drinking establishments are restricted, depending upon the intensity  
 8 of such uses in nearby commercial districts.

9 Existing residential units are protected by prohibitions of conversions above the ground story  
 10 and limitations on demolitions.

11 **Table 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1**

12 **ZONING CONTROL TABLE**

		<b><u>NCT-1</u></b>
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT11 and HT12 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>

<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on certain streets, see § 145.4 for more information.</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Required on certain streets, see 155(r) for more information.</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Canopy or Marquee</u>	<u>§ 136.1</u>	<u>NP</u>
<u>Awning</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b>RESIDENTIAL STANDARDS AND USES</b>		
<b>Development Standards</b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet if private, or 133 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to one space for each two Dwelling Units; C up to 0.75 spaces for each Dwelling Unit, subject to the criteria and procedures of Section 151.1(f); NP above 0.75 spaces per Dwelling Unit. Bike parking required per §155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>

<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<b><u>Residential Uses</u></b>		<b><u>Controls By Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing.</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No 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.</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<b><u>Loss and Division of Dwelling Units</u></b>		<b><u>Controls by Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>1.8 to 1</u>
<u>Use Size</u>	<u>§§ 102, 121.2</u>	<u>P up to 2,999 square feet; C 3,000 square feet and above</u>

1	<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
2	<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
3	<b>Commercial Use Characteristics</b>				
4	<u>Drive-up Facility</u>	§102	NP		
5	<u>Formula Retail</u>	§§102, 303.1	C		
6	<u>Hours of Operation</u>	§102	P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.		
7	<u>Maritime Use</u>	§102	NP		
8	<u>Open Air Sales</u>	§§102, 703(b)	See §703(b)		
9	<u>Outdoor Activity Area</u>	§§102, 145.2	P if located in front; C if located elsewhere		
10	<u>Walk-up Facility</u>	§102	P		
11	<b>Controls by Story</b>				
12	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
13	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	P	P	P
14	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	C	C	C
15	<u>Greenhouse</u>	§§102, 202.2(c)	NP	NP	NP
16	<b>Automotive Use Category</b>				
17	<u>Automotive Uses*</u>	§§102, 187.1, 202.2(b), 202.5	NP	NP	NP
18	<u>Parking Garage, Private</u>	§102	C	C	C
19	<u>Parking Garage, Public</u>	§102	C	NP	NP
20	<u>Parking Lot, Private</u>	§§102, 142, 156	C	C	C
21	<u>Parking Lot, Public</u>	§§ 102, 142, 156	C	NP	NP
22	<b>Entertainment, Arts and Recreation Use Category</b>				
23	<u>Entertainment, Arts and Recreation Uses*</u>	§§102, 202.4	NP	NP	NP
24	<u>Entertainment, General</u>	§102	C	NP	NP
25	<u>Entertainment, Nighttime</u>	§102	C	NP	NP
	<u>Open Recreation Area</u>	§102	C	C	C
	<u>Passive Outdoor Recreation</u>	§102	C	C	C
	<b>Industrial Use Category</b>				
	<u>Industrial Uses</u>	§§102, 202.2(d)	NP	NP	NP



<i>Institutional Use Category</i>				
<i>Institutional Uses*</i>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<i>Child Care Facility</i>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<i>Hospital</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Medical Cannabis Dispensary</i>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<i>Philanthropic Admin. Services</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Public Facilities</i>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<i>Residential Care Facility</i>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
<i>Sales and Service Use Category</i>				
<i>Retail Sales and Service Uses*</i>	<u>§§102, 202.2(a)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
<i>Adult Business</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Animal Hospital</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Gym</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Hotel</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Kennel</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Liquor Store</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Massage Establishment</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Massage, Foot/Chair</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Mortuary</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Motel</i>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Restaurant</i>	<u>§§102, 202.2(a)</u>	<u>C(5)</u>	<u>NP</u>	<u>NP</u>
<i>Services, Financial</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Services, Fringe Financial</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Services, Health</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Services, Instructional</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Services, Limited Financial</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Services, Personal</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Services, Retail Professional</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Storage, Self</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<i>Trade Shop</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Non-Retail Sales and Service*</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Design Professional</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Trade Office</i>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<i>Utility and Infrastructure Use Category</i>				
<i>Utility and Infrastructure*</i>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>

Power Plant	§102	NP	NP	NP
Public Utilities Yard	§102	NP	NP	NP

\* Not listed below

- (1) C required for ground floor Residential Use when street frontage is listed in 145.4(b)
- (2) C required for 13 or more children; NP on 3rd floor for 13 or more children.
- (3) C required for seven or more persons; NP on 3rd floor for seven or more persons.
- (4) P if located more than ¼ mile from any NC District or Restricted Use Sub district with more restrictive controls; otherwise, same as more restrictive control.
- (5) C if located more than ¼ mile from any NC District or Restricted Use Sub district with more restrictive controls; otherwise, same as more restrictive control.
- (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 751. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

NCT-2 Districts are transit-oriented mixed-use neighborhoods with small scale commercial uses near transit services. The NCT-2 Districts are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These Districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The District's form is generally linear along transit-priority corridors, though may be concentric around transit stations or in broader areas where multiple transit services criss-cross the neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. There are prohibitions on access (e.g., driveways, garage entries) to off-street parking and loading on critical stretches of commercial and transit street frontages to preserve and enhance the pedestrian-oriented character and transit function. Residential parking is not required and generally limited. Commercial establishments are discouraged from building excessive accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic.

NCT-2 Districts are intended to 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,

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

4 Most new commercial development is permitted at the ground and second stories.

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

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

**Table 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL**

**TRANSIT DISTRICT NCT-2 ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>NCT-2 Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT08, HT11, and HT12 for more information. Height sculpting required on Alleys per §261.1</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on certain streets</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Required on certain streets, see 155(r) for more information.</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>

<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		
<u>Controls By Story</u>		
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)      P      P</u>
<u>Dwelling Units, Senior Housing, and Group Housing.</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No 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.</u>
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units.</u>

		<u>ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m.- 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<u>Controls by Story</u>				
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>

1	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
3	<b><u>Automotive Use Category</u></b>				
4	<b><u>Automotive Uses*</u></b>	<u>§§102, 202.2(b)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
6	<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
7	<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
8	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
9	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
11	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
13	<b><u>Entertainment, Arts and Recreation Uses*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
15	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
16	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
17	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
18	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<b><u>Industrial Use Category</u></b>				
20	<b><u>Industrial Uses</u></b>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<b><u>Institutional Use Category</u></b>				
22	<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
23	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
24	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
	<b><u>Sales and Service Use Category</u></b>				
	<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

1	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
2	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
4	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
5	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
6	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
7	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
10	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
11	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
12	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
14	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
16	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
17	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
19	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
20	<b><u>Utility and Infrastructure Use Category</u></b>				
21	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
22	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) C required for 13 or more children

(3) C required for seven or more persons.

(4) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 752. NCT-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT**

**DISTRICT.**

NCT-3 Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. The NCT-3 Districts are mixed use districts that



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

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

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

22 A diversified commercial environment is encouraged for the NCT-3 District, and a wide variety  
23 of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking,  
24 entertainment, and financial service uses generally are permitted with certain limitations at the first  
25 and second stories. Auto-oriented uses are somewhat restricted. Other retail businesses, personal

1 services and offices are permitted at all stories of new buildings. Limited storage and administrative  
 2 service activities are permitted with some restrictions.

3 Housing development in new buildings is encouraged above the second story. Existing  
 4 residential units are protected by limitations on demolitions and upper-story conversions. Accessory  
 5 Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this Code.

6 **Table 752. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL**  
 7 **TRANSIT DISTRICT NCT-3 ZONING CONTROL TABLE**

		<b><u>NCT-3</u></b>
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT02 and HT07 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	P
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<u>Required</u>
<u>Street Frontage Requirements</u>	§ 145.1	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	§ 145.4	<u>Required on certain streets, see § 145.4 for more information.</u>

<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on Market Street, Church Street, and Mission Street. C required on Duboce Street, Haight Street</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b>RESIDENTIAL STANDARDS AND USES</b>		
<b>Development Standards</b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. Not permitted above .75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms.</u>
<b>Use Characteristics</b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<b>Residential Uses</b>		<b>Controls By Story</b>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u> <u>P</u> <u>P</u>

<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No residential 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.</u>
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>
		<u>1st</u> <u>2nd</u> <u>3rd<sup>+</sup></u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.6 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 5,999 square feet; C 6,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>No Limit</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>

1	<u>Outdoor Activity Area</u>	<u>§§102.145.2</u>	<u>P if located in front; C if located elsewhere</u>		
2	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
3	<b><u>Controls by Story</u></b>				
4	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
5	<u>Agriculture, Neighborhood</u>	<u>§§102.202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
6	<u>Agriculture, Large Scale Urban</u>	<u>§§102.202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Greenhouse</u>	<u>§§102.202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<b><u>Automotive Use Category</u></b>				
9	<u>Automotive Uses*</u>	<u>§§102.187.1.202.2(b).202.5, 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
11	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	<u>§§102.142.156</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Public</u>	<u>§§102.142.156</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Service, Motor Vehicle Tow</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Service, Parcel Delivery</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Vehicle Storage Garage</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Vehicle Storage Lot</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
19	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
20	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
22	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
23	<u>Movie Theater</u>	<u>§§102.202.4</u>	<u>P</u>	<u>P</u>	<u>NP</u>
24	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
25	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b><u>Industrial Use Category</u></b>				
	<u>Industrial Uses</u>	<u>§§102.202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<b><u>Institutional Use Category</u></b>				
	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Medical Cannabis Dispensary</u>	<u>§§102.202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

1	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u><del>Sales and Service Use Category</del></u>				
3	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
4	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
5	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
6	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
7	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
9	<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
11	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
12	<u>Mortuary</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
15	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
16	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
17	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(2)</u>	<u>NP(2)</u>	<u>NP(2)</u>
18	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P(3)</u>	<u>P</u>	<u>NP</u>
19	<u>Services, Retail Professional</u>	<u>§102</u>	<u>P(3)</u>	<u>P</u>	<u>P</u>
20	<u>Storage, Self</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
22	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
23	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Design Professional</u>	<u>§102</u>	<u>P(3)</u>	<u>P</u>	<u>P</u>
25	<u>Service, Non-Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Storage, Commercial</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Trade Office</u>	<u>§102</u>	<u>P(3)</u>	<u>P</u>	<u>P</u>
	<u><del>Utility and Infrastructure Use Category</del></u>				
	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b).

1 (2) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

2 Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the NCT-3 Neighborhood  
3 Commercial District.

4 Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section  
5 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set  
6 forth in subsection 249.35(c)(3).

7 (3) CU FOR LIMITED FINANCIAL SERVICE AND OTHER USES

8 Boundaries: Applicable only for the parcels zoned NCT-3 on Market Street West of Octavia Boulevard.

9 Controls: A Conditional Use authorization is required for a Limited Financial Service, Retail Professional  
10 Services, Design Professional, and Trade Office uses on the 1st story.

11 (4) C if a Macro WTS Facility; P if a Micro WTS Facility.

12 **SEC. 735. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

13 \* \* \* \*

14 **Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

15 **ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>SoMa NCT</u> <u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105,</u> <u>106, 250—252,</u> <u>260, 261.1, 270,</u> <u>271. See also</u> <u>Height and Bulk</u> <u>District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT01 and</u> <u>HT08 for more information. Height sculpting</u> <u>required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground</u> <u>Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134,</u> <u>134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling</u> <u>Unit, and at each succeeding level or Story of the</u> <u>Building: 25% of lot depth, but in no case less</u> <u>than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131,</u> <u>132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian</u> <u>Improvements</u>	<u>§138.1</u>	<u>Required</u>

1	<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
2			
3			
4	<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on 6th Street for its entirety within the District</u>
5	<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on 6th Street for its entirety within the District</u>
6	<u>Miscellaneous</u>		
7	<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
8	<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
9	<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
10	<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
11	<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
12			
13	<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>
14			
15			

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet if private, or 100 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces Per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>



<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No 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.</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>
<u>Use Size</u>	<u>§102, 121.2</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>

1	<u>Formula Retail</u>	§§102, 303.1	<u>C</u>		
	<u>Hours of Operation</u>	§102	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
2	<u>Maritime Use</u>	§102			
	<u>Open Air Sales</u>	§§102, 703(b)	<u>See §703(b)</u>		
3	<u>Outdoor Activity Area</u>	§§102, 145.2	<u>P if located in front; C if located elsewhere</u>		
4	<u>Walk-up Facility</u>	§102	<u>P</u>		
			<b><u>Controls by Story</u></b>		
5	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
6	<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Greenhouse</u>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
8	<u>Automotive Use Category</u>				
	<u>Automotive Uses*</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Automotive Repair</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<u>Automotive Service Station</u>	§§102, 187.1, 202.2(b), 202.5	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Gas Station</u>	§§102, 187.1, 202.2(b)	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Parking Garage, Private</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Parking Garage, Public</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	§§102, 142, 156	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Public</u>	§§ 102, 142, 156	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Entertainment, Arts and Recreation Use Category</u>				
	<u>Entertainment, Arts and Recreation Uses*</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Movie Theater</u>	§§102, 202.4	<u>P</u>	<u>NP</u>	<u>NP</u>
17	<u>Open Recreation Area</u>	§102	<u>P</u>	<u>P</u>	<u>P</u>
18	<u>Passive Outdoor Recreation</u>	§102	<u>P</u>	<u>P</u>	<u>P</u>
19	<u>Industrial Use Category</u>				
	<u>Industrial Uses</u>	§§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<u>Institutional Use Category</u>				
	<u>Institutional Uses*</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
21	<u>Child Care Facility</u>	§102	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
22	<u>Community Facility</u>	§102	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Community Facility, Private</u>	§102	<u>P</u>	<u>P</u>	<u>P</u>
23	<u>Hospital</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	<u>DR</u>	<u>NP</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Residential Care Facility</u>	§102	<u>P(3)</u>	<u>P(3)</u>	<u>P(3)</u>

1	<i>Social Service or Philanthropic Facility</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>P</i>
2	<b>Sales and Service Use Category</b>				
3	<i>Retail Sales and Service Uses*</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>P</i>	<i>NP</i>
4	<i>Adult Business</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
5	<i>Animal Hospital</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
6	<i>Bar</i>	<u>§§102, 202.2(a)</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
7	<i>Hotel</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
8	<i>Jewelry Store</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
9	<i>Kennel</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
10	<i>Liquor Store</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
11	<i>Massage Establishment</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
12	<i>Massage, Foot/Chair</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
13	<i>Mortuary</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
14	<i>Motel</i>	<u>§§102, 202.2(a)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
15	<i>Restaurant</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
16	<i>Restaurant, Limited</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
17	<i>Services, Financial</i>	<u>§102</u>	<i>P</i>	<i>C</i>	<i>NP</i>
18	<i>Services, Fringe Financial</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
19	<i>Services, Limited Financial</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
20	<i>Storage, Self</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
21	<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
22	<i>Trade Shop</i>	<u>§102</u>	<i>P</i>	<i>C</i>	<i>NP</i>
23	<i>Non-Retail Sales and Service*</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
24	<i>Design Professional</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
25	<i>Trade Office</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
	<b>Utility and Infrastructure Use Category</b>				
	<i>Utility and Infrastructure*</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>P</i>
	<i>Power Plant</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
	<i>Public Utilities Yard</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
	<i>Wireless Telecommunications Services Facility</i>	<u>§102</u>	<i>C(4)</i>	<i>C(4)</i>	<i>C(4)</i>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) C required for 13 or more children

(3) C required for seven or more persons.

(4) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 736- 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

**ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>Mission Street NCT Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 253.4, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheet HT07 for more information. Buildings above 65 feet require C. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on Mission Street for the entirety of the District; 16th Street, between Guerrero and Capp Streets; 22nd Street, between Valencia and Mission Streets</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on Mission Street for the entirety of the District and on 16th Street between Guerrero and Capp Streets.</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>

<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet if private, or 100 square feet if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>
<u>Use Characteristics</u>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<u>Residential Uses</u>		
		<u>Controls By Story</u>
		<u>1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup></u>
<u>Residential Uses</u>		<u>P(1)                      P                      P</u>
<u>Dwelling Units, Senior Housing, Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No 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.</u>

<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>
		<u>1st</u> <u>2nd</u> <u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.6 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 5,999 square feet; C 6,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102.303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>No Limit</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>
<u>Outdoor Activity Area</u>	<u>§§102.145.2</u>	<u>P if located in front; C if located elsewhere</u>
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>
<u>Controls by Story</u>		

<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Use Category</u>				
<u>Automotive Uses*</u>	<u>§§ 102, 142, 156</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Automotive Sale/Rental</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Wash</u>	<u>§§102, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Services, Ambulance</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Arts and Recreation Use Category</u>				
<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Industrial Use Category</u>				
<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use Category</u>				
<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Sales and Service Use Category</u>				
<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>

1	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
2	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
3	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
4	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
6	<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
8	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
9	<u>Mortuary</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
12	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
13	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
14	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(2)</u>	<u>NP(2)</u>	<u>NP(2)</u>
15	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
16	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
19	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
21	<u>Service, Non-Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
23	<u>Utility and Infrastructure Use Category</u>				
24	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(3)</u>	<u>C(3)</u>	<u>C(3)</u>
25	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

**Boundaries:** The FFSRUD and its ¼ mile buffer includes, but is not limited to, the Mission Street Neighborhood Commercial Transit District.

**Controls:** Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35, unless Fringe Financial Service is a Non-Profit. Outside the FFSRUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in subsection 249.35(c)(3).

(3) C if a Macro WTS Facility; P if a Micro WTS Facility.



1 SEC. 737. 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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3 **Table 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

4 **ZONING CONTROL TABLE**

		<u>Ocean Avenue NCT</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<i>Varies, but generally 45-X. See <u>Height and Bulk Map Sheet HT12</u> for more information. <u>Height sculpting required on Alleys per §261.1.</u></i>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	<i>P</i>
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<i>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</i>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<i>Not Required.</i>
<i>Street Frontage and Public Realm</i>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<i>Required</i>
<u>Street Frontage Requirements</u>	§ 145.1	<i>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</i>
<u>Ground Floor Commercial</u>	§ 145.4	<i>Required on Ocean Avenue within the District, except on the north side of Ocean Avenue between Plymouth and Brighton Avenues.</i>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<i>Prohibited on Ocean Avenue within the District.</i>
<i>Miscellaneous</i>		

<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Lot Consolidation</u>	<u>§ 121.6</u>	<u>Not Permitted except to create corner lots</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to one space per Dwelling Unit; NP above. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<b><u>Residential Uses</u></b>				
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>

<u>Dwelling Units, Senior Housing, Group Housing.</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No 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.</u>
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>
		<u>1st</u> <u>2nd</u> <u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u> <u>C</u> <u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<u>Development Standards</u>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>
<u>Use Size</u>	<u>§§102, 121.2</u>	<u>P up to 3,999 square feet; C 4,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>
<u>Commercial Use Characteristics</u>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>

1	<u>Outdoor Activity Area</u>	<u>§§102.145.2</u>	<u>P if located in front; C if located elsewhere</u>		
	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
2	<b>Controls by Story</b>				
3	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
4	<u>Agriculture, Neighborhood</u>	<u>§§102.202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
5	<u>Agriculture, Large Scale Urban</u>	<u>§§102.202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
6	<u>Greenhouse</u>	<u>§§102.202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
7	<b>Automotive Use Category</b>				
8	<u>Automotive Uses*</u>	<u>§§102.202.2(b)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<u>Automotive Service Station</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Gas Station</u>	<u>§§102, 187.1, 202.2(b)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
16	<b>Entertainment, Arts and Recreation Use Category</b>				
17	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
18	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
19	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
20	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
21	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
22	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
23	<b>Industrial Use Category</b>				
24	<u>Industrial Uses</u>	<u>§§102.202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<b>Institutional Use Category</b>				
	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Medical Cannabis Dispensary</u>	<u>§§102.202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>

1	<i>Residential Care Facility</i>	<u>§102</u>	<i>P</i>	<i>P(3)</i>	<i>P(3)</i>
2	<b><i>Sales and Service Use Category</i></b>				
3	<b><i>Retail Sales and Service Uses*</i></b>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>P</i>	<i>NP</i>
4	<i>Adult Business</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
5	<i>Animal Hospital</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
6	<i>Bar</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
7	<i>Hotel</i>	<u>§102</u>	<i>C</i>	<i>C</i>	<i>C</i>
8	<i>Kennel</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
9	<i>Liquor Store</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
10	<i>Massage Establishment</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
11	<i>Massage, Foot/Chair</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
12	<i>Mortuary</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
13	<i>Motel</i>	<u>§§102, 202.2(a)</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
14	<i>Restaurant</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
15	<i>Restaurant, Limited</i>	<u>§§102, 202.2(a)</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
16	<i>Services, Financial</i>	<u>§102</u>	<i>P</i>	<i>C</i>	<i>NP</i>
17	<i>Services, Fringe Financial</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
18	<i>Services, Limited Financial</i>	<u>§102</u>	<i>P</i>	<i>NP</i>	<i>NP</i>
19	<i>Storage, Self</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
20	<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<i>C</i>	<i>NP</i>	<i>NP</i>
21	<i>Trade Shop</i>	<u>§102</u>	<i>P</i>	<i>C</i>	<i>NP</i>
22	<b><i>Non-Retail Sales and Service*</i></b>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
23	<i>Design Professional</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
24	<i>Trade Office</i>	<u>§102</u>	<i>P</i>	<i>P</i>	<i>NP</i>
25	<b><i>Utility and Infrastructure Use Category</i></b>				
	<b><i>Utility and Infrastructure*</i></b>	<u>§102</u>	<i>C(4)</i>	<i>C(4)</i>	<i>C(4)</i>
	<i>Power Plant</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>
	<i>Public Utilities Yard</i>	<u>§102</u>	<i>NP</i>	<i>NP</i>	<i>NP</i>

\* Not listed below

(1) *C* required for ground floor residential use when street frontage is listed in 145.4(b)

(2) *C* required for 13 or more children

(3) *C* required for seven or more persons.

(4) *C* if a Macro WTS Facility; *P* if a Micro WTS Facility.

**SEC. 738. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

**ZONING CONTROL TABLE**

		<u>Glen Park NCT</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also <u>Height and Bulk District Maps</u>	<u>30-X and 40-X. See Height and Bulk Map Sheet HT11 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	<u>P</u>
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<u>Not Required.</u>
<i>Street Frontage and Public Realm</i>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<u>Required</u>
<u>Street Frontage Requirements</u>	§ 145.1	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	§ 145.4	<u>Required on Diamond and Chenery Streets within the District.</u>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<u>Prohibited on Chenery and Diamond Streets within the District.</u>
<i>Miscellaneous</i>		
<u>Lot Size (Per Development)</u>	§ 102, 121.1	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>
<u>Planned Unit Development</u>	§ 304	<u>C</u>
<u>Awning, Canopy or Marquee</u>	§ 136.1	<u>P</u>
<u>Signs</u>	§§ 262, 602-604.	<u>As permitted by Section § 607.1</u>

	<u>607, 607.1, 608, 609</u>	
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>P</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>RESIDENTIAL STANDARDS AND USES</b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 151, 161, 166</u>	<u>Car parking not required. P up to one space per Dwelling Unit; NP above. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§ 102, 202.2(f), 207, 208</u>	<u>No 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</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		

<i>Loss and Division of Dwelling Units</i>		<i>Controls by Story</i>		
		<i>1st</i>	<i>2nd</i>	<i>3rd</i>
<i>Residential Conversion</i>	<i>§ 317</i>	<i>C</i>	<i>C</i>	<i>NP</i>
<i>Residential Demolition or Merger</i>	<i>§ 317</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Division of Dwelling Units</i>	<i>§ 207.8</i>	<i>Division of existing Dwelling Units P per §207.8</i>		

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>		
<b>NON-RESIDENTIAL STANDARDS AND USES</b>				
<i>Development Standards</i>				
<i>Floor Area Ratio</i>	<i>§§ 102, 123, 124</i>	<i>2.5 to 1</i>		
<i>Use Size</i>	<i>§102, 121.2</i>	<i>P up to 3,999 square feet; C 4,000 square feet and above</i>		
<i>Off-Street Parking Requirements</i>	<i>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</i>	<i>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>		
<i>Off-Street Freight Loading</i>	<i>§§ 150, 153 - 155, 161, 204.5</i>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>		
<i>Commercial Use Characteristics</i>				
<i>Drive-up Facility</i>	<i>§102</i>	<i>NP</i>		
<i>Formula Retail</i>	<i>§§102, 303.1</i>	<i>C</i>		
<i>Hours of Operation</i>	<i>§102</i>	<i>P 6 a.m. - 2 a.m.; C 2 a.m.- 6 a.m.</i>		
<i>Maritime Use</i>	<i>§102</i>	<i>NP</i>		
<i>Open Air Sales</i>	<i>§§102, 703(b)</i>	<i>See §703(b)</i>		
<i>Outdoor Activity Area</i>	<i>§§102, 145.2</i>	<i>P if located in front; C if located elsewhere</i>		
<i>Walk-up Facility</i>	<i>§102</i>	<i>P</i>		
<i>Controls by Story</i>				
<i>Agricultural Use Category</i>		<i>1st</i>	<i>2nd</i>	<i>3rd</i>
<i>Agriculture, Neighborhood</i>	<i>§§102, 202.2(c)</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Agriculture, Large Scale Urban</i>	<i>§§102, 202.2(c)</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Greenhouse</i>	<i>§§102, 202.2(c)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Use Category</i>				
<i>Automotive Uses*</i>	<i>§§102, 202.2(b)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Repair</i>	<i>§102</i>	<i>C</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Service Station</i>	<i>§§102, 187.1, 202.2(b), 202.5</i>	<i>C</i>	<i>NP</i>	<i>NP</i>
<i>Gas Station</i>	<i>§§102, 187.1, 202.2(b)</i>	<i>C</i>	<i>NP</i>	<i>NP</i>



1	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
2	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
3	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
4	<b><u>Entertainment, Arts and Recreation Uses*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
6	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
7	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b><u>Industrial Use Category</u></b>				
9	<b><u>Industrial Uses</u></b>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<b><u>Institutional Use Category</u></b>				
10	<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
11	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
13	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
	<b><u>Sales and Service Use Category</u></b>				
15	<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
16	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Liquor Store</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
20	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
21	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>

<i>Storage, Self</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<i>Trade Shop</i>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<i>Non-Retail Sales and Service*</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Design Professional</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<i>Trade Office</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<b><i>Utility and Infrastructure Use Category</i></b>				
<i>Utility and Infrastructure*</i>	<u>§102</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
<i>Power Plant</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<i>Public Utilities Yard</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

- (1) C required for ground floor residential use when street frontage is listed in 145.4(b)
- (2) C required for 13 or more children
- (3) C required for seven or more persons.
- (4) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 743. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**  
**ZONING CONTROL TABLE**

		<u>Folsom Street NCT</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 263.29, 270, 271, 823(c)(11). See also Height and Bulk District Maps</u>	<u>65-X to 75-X. See Height and Bulk Map Sheets HT01, HT07, and HT08 for more information. Height sculpting required on alleys per § 261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>NP</u>

<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136, 823(c)</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Not Required</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy, or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>§823(b), and General Plan Commerce and Industry Element</u>	<u>WSoMa Design Standards and the Urban Design Guidelines.</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136, 823(c)(2)</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common - roof decks do not qualify.</u>

<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	<u>§§ 102, 823(c)(7)</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>C in newly constructed buildings, NP otherwise.</u>		
<b><u>Residential Uses</u></b>		<b><u>Controls By Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Uses (except for Group Housing, see below)</u>	<u>§ 102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group Housing</u>	<u>§§ 102, 208</u>	<u>C(1)</u>	<u>C</u>	<u>C</u>
<u>Dwelling Units, Senior Housing, Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required Dwelling Unit mix, 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.</u>		
<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<b><u>Loss and Division of Dwelling Units</u></b>		<b><u>Controls by Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§ 207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		

<i>Development Standards</i>				
<i>Floor Area Ratio</i>	<i>§§ 102, 123, 124</i>	<i>2.5 to 1</i>		
<i>Use Size</i>	<i>§102, 121.2</i>	<i>P up to 3,999 square feet; C 4,000 square feet and above</i>		
<i>Off-Street Parking Requirements</i>	<i>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</i>	<i>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>		
<i>Off-Street Freight Loading</i>	<i>§§ 150, 152, 153 - 155, 161, 204.5</i>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>		
<i>Commercial Use Characteristics</i>				
<i>Drive-up Facility</i>	<i>§102</i>	<i>NP</i>		
<i>Formula Retail</i>	<i>§§102, 303.1, 823(c)(10)</i>	<i>C</i>		
<i>Hours of Operation</i>	<i>§102</i>	<i>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</i>		
<i>Maritime Use</i>	<i>§102</i>	<i>NP</i>		
<i>Open Air Sales</i>	<i>§§102, 703(b)</i>	<i>See §703(b)</i>		
<i>Outdoor Activity Area</i>	<i>§§102, 145.2</i>	<i>P at 1st and 2nd Floors if located in front; C if located elsewhere</i>		
<i>Walk-up Facility</i>	<i>§102</i>	<i>P</i>		
<i>Controls by Story</i>				
<i>Agricultural Use Category</i>		<i>1st</i>	<i>2nd</i>	<i>3rd+</i>
<i>Agriculture, Neighborhood</i>	<i>§§102, 202.2(c)</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Agriculture, Large Scale Urban</i>	<i>§§102, 202.2(c)</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Greenhouse</i>	<i>§§102, 202.2(c)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Use Category</i>				
<i>Automotive Uses*</i>	<i>§§102, 187.1, 202.2(b), 202.5, 202.5</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Automotive Repair</i>	<i>§102</i>	<i>C(2)</i>	<i>NP</i>	<i>NP</i>
<i>Entertainment, Arts and Recreation Use Category</i>				
<i>Entertainment, Arts and Recreation Uses*</i>	<i>§§102, 202.4</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Livery Stable</i>	<i>§102</i>	<i>P(4)</i>	<i>NP</i>	<i>NP</i>
<i>Open Recreation Area</i>	<i>§102</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Passive Outdoor Recreation</i>	<i>§102</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Industrial Use Category</i>				
<i>Industrial Uses*</i>	<i>§§102, 202.2(d)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Manufacturing, Light</i>	<i>§§102, 202.2(d)</i>	<i>P</i>	<i>P</i>	<i>NP</i>
<i>Institutional Use Category</i>				

1	<b><u>Institutional Uses*</u></b>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
2	<u>Community Facility</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Community Facility, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
3	<u>Job Training</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>P(8)</u>	<u>P(8)</u>	<u>NP</u>
4	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Residential Care Facility</u>	<u>§102</u>	<u>NP</u>	<u>C(3)</u>	<u>C(3)</u>
6	<u>School</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Social Service or Philanthropic Facility</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
7	<b><u>Sales and Service Use Category</u></b>				
8	<b><u>Retail Sales and Service Uses*</u></b>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
9	<u>Animal Hospital</u>	<u>§§102, 823(c)(9)(B)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
10	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
11	<u>Cat Boarding</u>	<u>§§102, 823(c)(9)(B)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
12	<u>Gym</u>	<u>§102</u>	<u>P(8)</u>	<u>P</u>	<u>NP</u>
	<u>Hotel</u>	<u>§102</u>	<u>P(5)</u>	<u>P(5)</u>	<u>P(5)</u>
13	<u>Kennel</u>	<u>§§102, 823(c)(9)(B)</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
14	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
15	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
16	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(6)</u>	<u>NP</u>	<u>NP</u>
18	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(6)</u>	<u>NP</u>	<u>NP</u>
19	<u>Services, Financial</u>	<u>§102</u>	<u>P(7)(8)</u>	<u>NP</u>	<u>NP</u>
	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
20	<u>Services, Health</u>	<u>§102</u>	<u>P(7)(8)</u>	<u>NP</u>	<u>NP</u>
21	<u>Services, Instructional</u>	<u>§102</u>	<u>P(8)</u>	<u>P(8)</u>	<u>NP</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Services, Personal</u>	<u>§102</u>	<u>P(8)</u>	<u>P(8)</u>	<u>NP</u>
	<u>Services, Retail Professional</u>	<u>§102</u>	<u>P(7)(8)</u>	<u>P</u>	<u>NP</u>
23	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>

<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P(7)</u>	<u>NP</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P(7)</u>	<u>NP</u>	<u>NP</u>
<u>Wholesale Sales</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(9)</u>	<u>C(9)</u>	<u>C(9)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) NP on 1st floor on lots with more than 25 feet of street frontage

(2) Ingress/egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts is NP

(3) NP for seven or more persons

(4) P for grooming and daycare only; no 24 hour care.

(5) NP above 25 rooms per Hotel.

(6) NP above 10,000 Gross Square Feet per Lot.

(7) Must be primarily open to the general public on a client-oriented basis, NP if not.

(8) P on first or second floor, but not both.

(9) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 744. 758. REGIONAL COMMERCIAL DISTRICT.**

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**Table 758. REGIONAL COMMERCIAL DISTRICT**

**ZONING CONTROL TABLE**

<b>Regional Commercial District</b>		
<b>Zoning Category</b>	<b>§ References</b>	<b>Controls</b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250—252, 260, 261.1, 263.29, 270, 271, 823(c)(11). <i>See also Height and Bulk District Maps</i>	55-X, 65-X. <i>See Height and Bulk Map Sheets HT07 and HT08 for more information. Height sculpting required on narrow streets</i>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	§ 263.20	NP
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136, 823(c)	<i>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</i>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<i>Not Required.</i>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	§138.1	<i>Required</i>
<u>Street Frontage Requirements</u>	§ 145.1	<i>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</i>
<u>Ground Floor Commercial</u>	§ 145.4	<i>Not Required</i>
<u>Vehicular Access Restrictions</u>	§ 155(r)	<i>None</i>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	§ 102, 121.1	<i>P up to 9,999 square feet; C 10,000 square feet and above</i>
<u>Planned Unit Development</u>	§ 304	<i>C</i>
<u>Awning, Canopy or Marquee</u>	§ 136.1	<i>P</i>



<u>Signs</u>	§§ 262, 602-604, 607, 607.1, 608, 609	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	§§ 262, 602.7, 604, 608, 609, 610, 611	<u>NP</u>
<u>Design Guidelines</u>	§823(b), and <u>General Plan Commerce and Industry Element</u>	<u>WSoMa Design Standards and the Urban Design Guidelines.</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<b><u>Development Standards</u></b>				
<u>Usable Open Space [Per Dwelling Unit]</u>	§§135, 136, 823(c)(2)	<u>80 square feet per unit if private, or 100 square feet per unit if common - roof decks do not qualify.</u>		
<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	§ 207.6	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<b><u>Use Characteristics</u></b>				
<u>Single Room Occupancy</u>	§§ 102, 823(c)(7)	<u>P, except on the ground floor</u>		
<u>Student Housing</u>	§ 102	<u>NP</u>		
<b><u>Residential Uses</u></b>		<b><u>Controls By Story</u></b>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup>+</u>
<u>Residential Uses (Except for Group Housing, see below)</u>	§ 102	<u>P</u>	<u>P</u>	<u>P</u>
<u>Group Housing</u>	§ 102, 208	<u>C(1)</u>	<u>C</u>	<u>C</u>
<u>Dwelling Units, Group Housing and Senior Housing</u>	§§ 102, 202.2(f), 207, 208	<u>No density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, 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.</u>		

<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§ 207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§102, 121.2</u>	<u>P up to 10,000 square feet; C above; NP above 25,000 square feet except for Schools and Child Care Facilities</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1, 823(c)(10)</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P at 1st and 2nd Floors if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
		<u>Controls by Story</u>		
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>

1	<i>Agriculture, Large Scale Urban</i>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
	<i>Greenhouse</i>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<b><i>Automotive Use Category</i></b>				
3	<b><i>Automotive Uses*</i></b>	§§102, 187.1, 202.2(b), 202.5, 202.5	<u>NP</u>	<u>NP</u>	<u>NP</u>
4	<i>Automotive Repair</i>	§102	<u>C(2)</u>	<u>NP</u>	<u>NP</u>
5	<i>Parking Garage, Private</i>	§102, 158.1	<u>C</u>	<u>NP</u>	<u>NP</u>
	<i>Parking Garage, Public</i>	§102, 158.1	<u>C</u>	<u>NP</u>	<u>NP</u>
6	<i>Parking Lot, Private</i>	§§102, 142, 156, 158.1	<u>C</u>	<u>NP</u>	<u>NP</u>
7	<i>Parking Lot, Public</i>	§§ 102, 142, 156, 158.1	<u>C</u>	<u>NP</u>	<u>NP</u>
8	<b><i>Entertainment, Arts and Recreation Use Category</i></b>				
9	<b><i>Entertainment, Arts and Recreation Uses*</i></b>	§§102, 202.4	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<i>Open Recreation Area</i>	§102	<u>P</u>	<u>P</u>	<u>P</u>
11	<i>Passive Outdoor Recreation</i>	§102	<u>P</u>	<u>P</u>	<u>P</u>
12	<b><i>Industrial Use Category</i></b>				
	<b><i>Industrial Uses*</i></b>	§§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
13	<i>Manufacturing, Light</i>	§§102, 202.2(d)	<u>P</u>	<u>P</u>	<u>NP</u>
14	<b><i>Institutional Use Category</i></b>				
	<b><i>Institutional Uses*</i></b>	§102, 202.2(e)	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<i>Child Care Facility</i>	§102	<u>P(3)</u>	<u>P(3)</u>	<u>NP</u>
16	<i>Community Facility</i>	§102	<u>P</u>	<u>P</u>	<u>P</u>
	<i>Community Facility, Private</i>	§102	<u>C</u>	<u>C</u>	<u>C</u>
17	<i>Job Training</i>	§102	<u>C</u>	<u>C</u>	<u>C</u>
	<i>Public Facilities</i>	§102	<u>P</u>	<u>P</u>	<u>P</u>
18	<i>Residential Care Facility</i>	§102	<u>NP</u>	<u>C(4)</u>	<u>C(4)</u>
19	<i>School</i>	§102	<u>P</u>	<u>P</u>	<u>P</u>
	<i>Social Service or Philanthropic Facility</i>	§102	<u>C</u>	<u>C</u>	<u>C</u>
20	<b><i>Sales and Service Use Category</i></b>				
	<b><i>Retail Sales and Service Uses*</i></b>	§§102, 202.2(a)	<u>P</u>	<u>P</u>	<u>NP</u>
21	<i>Adult Business</i>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<i>Animal Hospital</i>	§§102, 823(c)(9)(B)	<u>P(8)</u>	<u>NP</u>	<u>NP</u>
23	<i>Bar</i>	§§102, 202.2(a)	<u>P</u>	<u>NP</u>	<u>NP</u>
24	<i>Cat Boarding</i>	§§102, 823(c)(9)(B)	<u>P(8)</u>	<u>NP</u>	<u>NP</u>
25	<i>Hotel</i>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>

<u>Kennel</u>	<u>§§102, 823(c)(9)(B)</u>	<u>P(8)</u>	<u>NP</u>	<u>NP</u>
<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P(5)</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P(5)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P(6)(7)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Services, Health</u>	<u>§102</u>	<u>P(6)(7)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Instructional</u>	<u>§102</u>	<u>P(7)</u>	<u>P</u>	<u>NP</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Services, Personal</u>	<u>§102</u>	<u>P(7)</u>	<u>P</u>	<u>NP</u>
<u>Services, Retail Professional</u>	<u>§102</u>	<u>P(6)(7)</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>P(6)</u>	<u>NP</u>	<u>NP</u>
<u>Storage, Commercial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Trade Office</u>	<u>§102</u>	<u>P(6)</u>	<u>NP</u>	<u>NP</u>
<u>Wholesale Sales</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Utility and Infrastructure Use Category</u>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) NP on 1st floor on lots with more than 25 feet of street frontage.

(2) Allowed with C so long as there is no ingress/ egress onto alleys, as defined in the Western SoMa Community Plan, containing RED or RED-MX Districts

(3) C required for 13 or more children.

(4) NP for facilities with seven or more persons

(5) P up to 10,000 gross square feet per lot; NP above.

(6) P when primarily open to the general public on a client-oriented basis.

(7) P on first or second floor, but not on both; P on all floors in Historic Buildings.

(8) P for grooming and daycare only; no 24 hour care.

1 SEC. 746. 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT  
 2 DISTRICT.

3 \* \* \* \*

4 Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT

5 ZONING CONTROL TABLE

<u>Zoning Category</u>	<u>§ References</u>	<u>Divisadero St. NCT</u> <u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>65-X A, and 40-X south of Oak Street. See Height and Bulk Map Sheets HT02 and HT07 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<i>Street Frontage and Public Realm</i>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required along Divisadero Street for the entirety of the District</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<i>Miscellaneous</i>		

<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>100 square feet per unit if private, or 133 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit, C up to 0.75 cars per Dwelling Unit; NP above. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>
<b><u>Use Characteristics</u></b>		
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>
<b><u>Residential Uses</u></b>		<b><u>Controls By Story</u></b>
		<u>1<sup>st</sup></u> <u>2<sup>nd</sup></u> <u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u> <u>P</u> <u>P</u>
<u>Dwelling Units, Senior Housing, Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, 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.</u>

<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<i>Division of existing Dwelling Units P per §207.8</i>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§§102, 121.2</u>	<i>P up to 3,999 square feet; C 4,000 square feet and above</i>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<i>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>		
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<i>P if located in front; C if located elsewhere</i>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
<u>Controls by Story</u>				

<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	§§102, 202.2(c)	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Use Category</u>				
<u>Automotive Uses*</u>	§§102, 202.2(b)	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Repair</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Automotive Service Station</u>	§§102, 187.1, 202.2(b), 202.5	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Gas Station</u>	§§102, 187.1, 202.2(b)	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Public</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Lot, Private</u>	§§102, 142, 156	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Lot, Public</u>	§§ 102, 142, 156	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Arts and Recreation Use Category</u>				
<u>Entertainment, Arts and Recreation Uses*</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Amusement Game Arcade</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, General</u>	§102	<u>P</u>	<u>P(2)</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	§102	<u>P</u>	<u>P(2)</u>	<u>NP</u>
<u>Movie Theater</u>	§§102, 202.4	<u>P</u>	<u>P(2)</u>	<u>NP</u>
<u>Open Recreation Area</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Industrial Use Category</u>				
<u>Industrial Uses</u>	§§102, 202.2(d)	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use Category</u>				
<u>Institutional Uses*</u>	§102	<u>P</u>	<u>C</u>	<u>C</u>
<u>Child Care Facility</u>	§102	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
<u>Hospital</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	§§102, 202.2(e)	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	§102	<u>NP</u>	<u>P(2)</u>	<u>NP</u>
<u>Public Facilities</u>	§102	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	§102	<u>P</u>	<u>P(4)</u>	<u>P(4)</u>
<u>Sales and Service Use Category</u>				
<u>Retail Sales and Service Uses*</u>	§§102, 202.2(a)	<u>P</u>	<u>P</u>	<u>NP</u>
<u>Adult Business</u>	§102	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	§102	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	§§102, 202.2(a)	<u>P</u>	<u>P(2)</u>	<u>NP</u>



1	<u>Grocery, General</u>	<u>§102</u>	<u>P(5)</u>	<u>P(5)</u>	<u>NP</u>
	<u>Grocery, Specialty</u>	<u>§102</u>	<u>P(5)</u>	<u>P(5)</u>	<u>NP</u>
2	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
3	<u>Liquor Store</u>	<u>§102</u>	<u>NP(5)</u>	<u>NP</u>	<u>NP</u>
	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
4	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
5	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
6	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P(2)</u>	<u>NP</u>
7	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P(2)</u>	<u>NP</u>
8	<u>Retail Sales and Service, General</u>	<u>§§102, 202.3</u>	<u>P(5)</u>	<u>P(5)</u>	<u>NP</u>
	<u>Services, Financial</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
9	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(6)</u>	<u>NP(6)</u>	<u>NP(6)</u>
10	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
11	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>NP</u>
13	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
14	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
15	<u>Utility and Infrastructure Use Category</u>				
	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(7)</u>	<u>C(7)</u>	<u>C(7)</u>
16	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not Listed Below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) P on the Second Story of existing buildings which have had no immediately prior second-story Residential Use, otherwise NP.

(3) C required for 13 or more children

(4) C required for seven or more persons.

(5) (a) Liquor Stores are not permitted within the Divisadero Street NCD. Liquor Store uses which become inactive for more than 180 days may not be reestablished. A lawfully existing Liquor Store may relocate within the district with Conditional Use authorization;

(b) Liquor Stores, General Grocery Stores, and Specialty Grocery Stores shall comply with the following Good Neighbor requirements:

(i) The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. In addition the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of litter associated with the business during business hours in accordance with Article 1 Section 34 of the San Francisco Police Code.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works.

(ii) The business operator shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and adjacent parking as appropriate to maintain security, without disturbing area residences.

(iii) No more than one-third of the square footage of the windows and clear doors of the business shall bear advertising or signage of any sort and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises including the area in which the cash registers are maintained from the exterior public sidewalk or entrance to the premises.

**(6) 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 Divisadero Street NCD.

**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 Section 249.35(c)(3).

(7) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 747. 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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**Table 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE**

<u>Fillmore St. NCT</u>		
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<u>Massing and Setbacks</u>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies, but generally 50-X south. See Height and Bulk Map Sheet HT02 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet</u>

<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required along Fillmore Street from Bush Street to McAllister Street</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>None</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit; NP above. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>

1	<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
2	<b><u>Use Characteristics</u></b>				
3	<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
4	<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
5	<b><u>Residential Uses</u></b>		<b><u>Controls By Story</u></b>		
6			<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
7	<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
8	<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No density limit by lot area. Density restricted by physical envelope controls of height, bulk, setbacks, open space, exposure, required dwelling unit mix, 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.</u>		
9	<u>Accessory Dwelling Unit</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
10	<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
11	<b><u>Loss and Division of Dwelling Units</u></b>		<b><u>Controls by Story</u></b>		
12			<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
13	<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
14	<u>Residential Demolition and Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>3.6 to 1</u>
<u>Use Size</u>	<u>§§ 102, 121.2</u>	<u>P up to 5,999 square feet; C 6,000 square feet and above</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>

1	<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
2	<b>Commercial Use Characteristics</b>				
3	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
4	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
5	<u>Hours of Operation</u>	<u>§102</u>	<u>No limit</u>		
6	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
7	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
8	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
9	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
10	<b>Controls by Story</b>				
11	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
12	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
13	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<b>Automotive Use Category</b>				
16	<u>Automotive Uses*</u>	<u>§§ 102, 142, 156, 187.1, 202.2(b), 202.5</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
17	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
18	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
19	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Service, Motor Vehicle Tow</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Service, Parcel Delivery</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
22	<u>Vehicle Storage Garage</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Vehicle Storage Lot</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<b>Entertainment, Arts and Recreation Use Category</b>				
25	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, General</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b>Industrial Use Category</b>				

1	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Institutional Use Category</u>				
3	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
4	<u>Hospital</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
6	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>P</u>	<u>NP</u>
7	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Sales and Service Use Category</u>				
9	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
10	<u>Adult Business</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
11	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
13	<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
14	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
16	<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
18	<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
19	<u>Mortuary</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
22	<u>Restaurant, Limited</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
23	<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
24	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(2)</u>	<u>NP(2)</u>	<u>NP(2)</u>
25	<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>NP</u>
	<u>Storage, Self</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Service, Non-Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Storage, Commercial</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>

Trade Office	§102	P	P	P
<b>Utility and Infrastructure Use Category</b>				
<b>Utility and Infrastructure*</b>	§102	C(3)	C(3)	C(3)
Power Plant	§102	NP	NP	NP
Public Utilities Yard	§102	NP	NP	NP

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) 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 Fillmore Street NCD.

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).

(3) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

The Hayes-Gough Neighborhood Commercial Transit District is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern edge generally at Lily Street, with an extension south along both sides of Octavia Boulevard to Market Street. This mixed-use commercial district contains a limited range of retail commercial activity, which primarily caters to the immediate need of the neighborhood. The few comparison goods that it does provide attract clientele from a wider area outside its neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a number of restaurants and art galleries, but other types of retail activity are limited.

The Hayes-Gough District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and Use Size and require rear yards at residential levels. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses

1 are directed to the ground story. Retail sales activity, especially neighborhood-serving businesses, is  
2 further promoted by restricting new ground-story medical, business and professional offices. To protect  
3 continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking is  
4 required to be setback or below ground, and active, pedestrian-oriented ground floor uses are required  
5 on Hayes Street and portions of Octavia Boulevard.

6 Housing development in new buildings is encouraged above the second story, and is controlled  
7 not by lot area but by physical envelope controls. Existing residential units are protected by limitations  
8 on demolitions, mergers, subdivisions, and upper-story conversions. Given the area's central location  
9 and accessibility to the downtown and to the City's transit network, accessory parking for Residential  
10 Uses is not required. The code controls for this district are supported and augmented by design  
11 guidelines and policies in the Market and Octavia Area Plan of the General Plan.



**Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

**ZONING CONTROL TABLE**

		<u>Hayes-Gough NCT</u>
<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250—252, 260, 261.1, 270, 271. See also Height and Bulk District Maps</u>	<u>Varies. See Height and Bulk Map Sheets HT02 and HT07 for more information. Height sculpting required on Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the lowest Story containing a Dwelling Unit, and at each succeeding level or Story of the Building: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on Hayes Street; portions of Octavia Street</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on Hayes Street between Franklin and Laguna Streets, and on Octavia Street between Hayes and Fell Streets. CU required on Haight between Market and Webster Streets and on Octavia between Fell and Market Streets.</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>

<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>60 square feet per unit if private, or 80 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to 0.75 spaces per Dwelling Unit. NP above 0.75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms.</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>				
		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No residential 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.</u>		

<u>Accessory Dwelling Units</u>	§§102, 207(c)(4)	<i>P</i> within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.		
<u>Homeless Shelters</u>	§§ 102, 208	<i>P</i> density limits regulated by the Administrative Code		
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Residential Conversion</u>	§ 317	<i>C</i>	<i>C</i>	<i>NP</i>
<u>Residential Demolition and Merger</u>	§ 317	<i>C</i>	<i>C</i>	<i>C</i>
<u>Division of Dwelling Units</u>	§207.8	Division of existing Dwelling Units <i>P</i> per §207.8		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b>NON-RESIDENTIAL STANDARDS AND USES</b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	§§ 102, 123, 124	3.0 to 1		
<u>Use Size</u>	§102, 121.2	<i>P</i> up to 2,999 square feet; <i>C</i> 3,000 square feet and above		
<u>Off-Street Parking Requirements</u>	§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5	Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.		
<u>Off-Street Freight Loading</u>	§§ 150, 152, 153 - 155, 161, 204.5	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	§102	<i>NP</i>		
<u>Formula Retail</u>	§§102, 303.1	<i>NP</i>		
<u>Hours of Operation</u>	§102	<i>P</i> 6 a.m. - 2 a.m.; <i>C</i> 2 a.m. - 6 a.m.		
<u>Maritime Use</u>	§102	<i>NP</i>		
<u>Open Air Sales</u>	§102, 703(b)	See Section 703(b)		
<u>Outdoor Activity Area</u>	§§102, 145.2	<i>P</i> if located in front; <i>C</i> if located elsewhere		
<u>Walk-up Facility</u>	§102	<i>P</i>		
		<u>Controls by Story</u>		
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
<u>Agriculture, Neighborhood</u>	§§102, 202.2(c)	<i>P</i>	<i>P</i>	<i>P</i>
<u>Agriculture, Large Scale Urban</u>	§§102, 202.2(c)	<i>C</i>	<i>C</i>	<i>C</i>

1	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
2	<u>Automotive Use Category</u>				
3	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
4	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
5	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
6	<u>Parking Lot, Private</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
7	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Entertainment, Arts and Recreation Use Category</u>				
9	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
12	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
13	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
15	<u>Industrial Use Category</u>				
16	<u>Industrial Uses</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
17	<u>Institutional Use Category</u>				
18	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
19	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
20	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
21	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
22	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
23	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
24	<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
25	<u>Sales and Service Use Category</u>				
26	<u>Retail Sales and Service Uses*</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
27	<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
28	<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
29	<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
30	<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
31	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
32	<u>Kenel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
33	<u>Liquor Store</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>

<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Massage, Foot/Chair</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Motel</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Restaurant, Limited</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Financial</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Services, Fringe Financial</u>	<u>§102</u>	<u>P(4)</u>	<u>NP</u>	<u>NP</u>
<u>Services, Health</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
<u>Services, Limited Financial</u>	<u>§102</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
<u>Services, Retail Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Trade Shop</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Design Professional</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>Trade Office</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
<b><u>Utility and Infrastructure Use Category</u></b>				
<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) C required for 13 or more children

(3) C required for seven or more persons.

(4) 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).

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

The Valencia Street Commercial Transit District is located near the center of San Francisco in the Mission District. It lies along Valencia Street between 14th and Cesar Chavez (Army) Street, and includes a portion of 16th Street extending west toward Dolores Street. The commercial area provides a limited selection of convenience goods for the residents of sections of the Mission and Dolores

1 Heights. Valencia Street also serves a wider trade area with its retail and wholesale home furnishings  
2 and appliance outlets. The commercial district also has several automobile-related businesses. Eating  
3 and drinking establishments contribute to the street's mixed-use character and activity in the evening  
4 hours. A number of upper-story professional and business offices are located in the district, some in  
5 converted residential units.

6 The Valencia Street District has a pattern of large lots and businesses, as well as a sizable  
7 number of upper-story residential units. Controls are designed to permit moderate-scale buildings and  
8 uses, protecting rear yards above the ground story and at residential levels. New neighborhood-serving  
9 commercial development is encouraged mainly at the ground story. While offices and general retail  
10 sales uses may locate at the second story of new buildings under certain circumstances, most  
11 commercial uses are prohibited above the second story. In order to protect the balance and variety of  
12 retail uses and the livability of adjacent uses and areas, most eating and drinking and entertainment  
13 uses at the ground story are limited. Continuous retail frontage is promoted by prohibiting drive-up  
14 facilities, some automobile uses, and new nonretail commercial uses. Parking is not required, and any  
15 new parking is required to be set back or below ground. Active, pedestrian-oriented ground floor uses  
16 are required.

17 Housing development in new buildings is encouraged above the ground story. Housing density  
18 is not controlled by the size of the lot but by requirements to supply a high percentage of larger units  
19 and by physical envelope controls. Existing residential units are protected by prohibitions on upper-  
20 story conversions and limitations on demolitions, mergers, and subdivisions. Given the area's central  
21 location and accessibility to the City's transit network, accessory parking for Residential Uses is not  
22 required. Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4)  
23 of this Code.

24 **Table 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

25 **ZONING CONTROL TABLE**

1 SEC. 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

2 The 24th Street – Mission Neighborhood Commercial Transit District is situated in the Inner  
3 Mission District on 24th Street between Bartlett Street and San Bruno Avenue. This mixed-use district  
4 provides convenience goods to its immediate neighborhood as well as comparison shopping goods and  
5 services to a wider trade area. The street has a great number of Latin American restaurants, grocery  
6 stores, and bakeries as well as other gift and secondhand stores. Most commercial businesses are open  
7 during the day while the district's bars and restaurants are also active in the evening. Dwelling Units  
8 are frequently located above the ground-story commercial uses.

9 The 24th Street – Mission Neighborhood Commercial Transit District controls are designed to  
10 provide potential for new development consistent with the existing scale and character. Small-scale  
11 buildings and neighborhood-serving uses are encouraged, and rear yard corridors above the ground  
12 story and at residential levels are protected. Most commercial uses are encouraged at the ground story,  
13 while service uses are permitted with some limitations at the second story. Special controls are  
14 necessary to preserve the unique mix of convenience and specialty commercial uses. In order to  
15 maintain convenience stores and protect adjacent livability, new bars and fast-food restaurants are  
16 prohibited, and limitations apply to the development and operation of ground-story full-service  
17 restaurants, take-out food and entertainment uses. Continuous retail frontage is maintained and  
18 encouraged by prohibiting most automobile and drive-up uses, banning curb cuts, and requiring active,  
19 pedestrian-oriented ground floor uses. Parking is not required, and any new parking required to be set  
20 back or below ground.

21 Housing development in new buildings is encouraged above the ground story. Housing density  
22 is not controlled by the size of the lot but by requirements to supply a high percentage of larger units  
23 and by physical envelope controls. Existing housing units are protected by prohibitions on upper-story  
24 conversions and limitations on demolitions, mergers, and subdivisions. Given the area's central

1 location and accessibility to the City's transit network, accessory parking for Residential Uses is not  
 2 required.

3 **Table 763. 24TH STREET – MISSION NEIGHBORHOOD COMMERCIAL**

4 **TRANSIT DISTRICT ZONING CONTROL TABLE**

<b><u>24th Street - Mission NCT</u></b>		
<b><u>Zoning Category</u></b>	<b><u>§ References</u></b>	<b><u>Controls</u></b>
<b><u>BUILDING STANDARDS</u></b>		
<b><u>Massing and Setbacks</u></b>		
<u>Height and Bulk Limits.</u>	<u>§§ 102, 105, 106, 250–252, 260, 261.I, 270, 271. See also Height and Bulk District Maps</u>	<u>40-X, 50-X, 105-E. See Height and Bulk Map Sheets HT07 and HT08 for more information. Height sculpting required on Alleys per §261.I.</u>
<u>5 Foot Height Bonus for Active Ground Floor Uses</u>	<u>§ 263.20</u>	<u>P</u>
<u>Rear Yard</u>	<u>§§ 130, 134, 134(a)(e), 136</u>	<u>Required at the Second Story and at each succeeding level or Story of the building, and at the First Story if it contains a Dwelling Unit: 25% of lot depth, but in no case less than 15 feet</u>
<u>Front Setback and Side Yard</u>	<u>§§130, 131, 132, 133</u>	<u>Not Required.</u>
<b><u>Street Frontage and Public Realm</u></b>		
<u>Streetscape and Pedestrian Improvements</u>	<u>§138.1</u>	<u>Required</u>
<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Required on 24th Street for the entirety of the district</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on 24th Street for the entirety of the district</u>
<b><u>Miscellaneous</u></b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 4,999 square feet; C 5,000 square feet and above</u>



<u>Planned Unit Development</u>	<u>§ 304</u>	<u>C</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by Section § 607.1</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>80 square feet per unit if private, or 100 square feet per unit if common</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>		
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms, or 30% of Dwelling Units shall contain at least three Bedrooms.</u>		
<u>Use Characteristics</u>				
<u>Single Room Occupancy</u>	<u>§ 102</u>	<u>P</u>		
<u>Student Housing</u>	<u>§ 102</u>	<u>P</u>		
<u>Residential Uses</u>		<u>Controls By Story</u>		
		<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>
<u>Residential Uses</u>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<u>Dwelling Units, Senior Housing, and Group Housing</u>	<u>§§ 102, 202.2(f), 207, 208</u>	<u>No residential 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.</u>		

<u>Accessory Dwelling Units</u>	<u>§§102, 207(c)(4)</u>	<u>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</u>		
<u>Homeless Shelters</u>	<u>§§ 102, 208</u>	<u>Density limits regulated by the Administrative Code</u>		
<u>Loss and Division of Dwelling Units</u>		<u>Controls by Story</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Residential Conversion</u>	<u>§ 317</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Residential Demolition or Merger</u>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Division of Dwelling Units</u>	<u>§207.8</u>	<u>Division of existing Dwelling Units P per §207.8</u>		

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>		
<b><u>NON-RESIDENTIAL STANDARDS AND USES</u></b>				
<u>Development Standards</u>				
<u>Floor Area Ratio</u>	<u>§§ 102, 123, 124</u>	<u>2.5 to 1</u>		
<u>Use Size</u>	<u>§102, 121.2</u>	<u>P up to 2,499 square feet; C 2,500 square feet and above</u>		
<u>Off-Street Parking Requirements</u>	<u>§§ 150, 151, 161</u>	<u>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</u>		
<u>Off-Street Freight Loading</u>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<u>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</u>		
<u>Commercial Use Characteristics</u>				
<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See Section 703(b)</u>		
<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
		<u>Controls by Story</u>		
<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>

<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<b><u>Automotive Use Category</u></b>				
<b><u>Automotive Uses*</u></b>	<b><u>§§102, 187.1, 202.2(b), 202.5, 202.5</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
<b><u>Entertainment, Arts and Recreation Uses*</u></b>	<b><u>§102</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
<u>Entertainment, General</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<b><u>Industrial Use Category</u></b>				
<b><u>Industrial Uses</u></b>	<b><u>§§102, 202.2(d)</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
<b><u>Institutional Use Category</u></b>				
<b><u>Institutional Uses*</u></b>	<b><u>§102</u></b>	<b><u>P</u></b>	<b><u>C</u></b>	<b><u>C</u></b>
<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
<b><u>Sales and Service Use Category</u></b>				
<b><u>Retail Sales and Service Uses*</u></b>	<b><u>§§102, 202.2(a)</u></b>	<b><u>P</u></b>	<b><u>NP</u></b>	<b><u>NP</u></b>
<u>Adult Business</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Animal Hospital</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
<u>Bar</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Gym</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>

1	<u>Hotel</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
	<u>Kennel</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
2	<u>Liquor Store</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Massage Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
3	<u>Mortuary</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Motel</u>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
4	<u>Restaurant</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
5	<u>Services, Fringe Financial</u>	<u>§102</u>	<u>NP(4)</u>	<u>NP(4)</u>	<u>NP(4)</u>
6	<u>Services, Health</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
7	<u>Services, Instructional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<u>Services, Personal</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
8	<u>Services, Retail Professional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
9	<u>Storage, Self</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Tobacco Paraphernalia Store Establishment</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Non-Retail Sales and Service*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<u>Design Professional</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
12	<u>Trade Office</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
13	<u>Utility and Infrastructure Use Category</u>				
	<u>Utility and Infrastructure*</u>	<u>§102</u>	<u>C(5)</u>	<u>C(5)</u>	<u>C(5)</u>
14	<u>Power Plant</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<u>Public Utilities Yard</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) C required for 13 or more children

(3) C required for seven or more persons.

(4) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD):

Boundaries: The FFSRUD and its ¼ mile buffer includes, but is not limited to, the 24th Street-Mission Neighborhood Commercial Transit District.

Controls: Within the FFSRUD and its ¼ mile buffer, Fringe Financial Services are NP pursuant to Section 249.35.

Outside the FFSRUD and its ¼ mile buffer, Fringe Financial Services are P subject to the restrictions set forth in subsection 249.35(c)(3).

(5) C if a Macro WTS Facility; P if a Micro WTS Facility.

**SEC. 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

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

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

21           The Upper Market Street district controls are designed to promote moderate-scale development  
22 which contributes to the definition of Market Street's design and character. They are also intended to  
23 preserve the existing mix of commercial uses and maintain the livability of the district and its  
24 surrounding residential areas. Large-lot and use development is reviewed for consistency with existing  
5 development patterns. Rear yards are protected at all levels. To promote mixed-use buildings, most

1 commercial uses are permitted with some limitations above the second story. In order to maintain  
 2 continuous retail frontage and preserve a balanced mix of commercial uses, ground-story  
 3 neighborhood-serving uses are encouraged, and eating and drinking, entertainment, and financial  
 4 service uses are limited. Ground floor-commercial space is required along Market and Church Streets.  
 5 Most automobile and drive-up uses are prohibited or conditional.

6 Housing development in new buildings is encouraged above the second story. Existing upper-  
 7 story residential units are protected by limitations on demolitions and upper-story conversions.  
 8 Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this  
 9 Code.

10 **Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL**  
 11 **TRANSIT DISTRICT ZONING CONTROL TABLE**

<u>Zoning Category</u>	<u>§ References</u>	<u>Upper Market Street NCT</u> <u>Controls</u>
<b><u>BUILDING STANDARDS</u></b>		
<i>Massing and Setbacks</i>		
<u>Height and Bulk Limits.</u>	§§ 102, 105, 106, 250–252, 260, 261.1, 270, 271. See also <u>Height and Bulk</u> <u>District Maps</u>	<u>Varies. See Height and Bulk Map Sheet HT07 for</u> <u>more information. Height sculpting required on</u> <u>Alleys per §261.1.</u>
<u>5 Foot Height Bonus for Active Ground</u> <u>Floor Uses</u>	§ 263.20	<u>P.</u>
<u>Rear Yard</u>	§§ 130, 134, 134(a)(e), 136	<u>Required at Grade level and at each succeeding level</u> <u>or Story: 25% of lot depth, but in no case less than</u> <u>15 feet. See §134(a)(1)(D) for waiver.</u>
<u>Front Setback and Side Yard</u>	§§130, 131, 132, 133	<u>Not Required.</u>
<i>Street Frontage and Public Realm</i>		
<u>Streetscape and Pedestrian</u> <u>Improvements</u>	§138.1	<u>Required</u>

<u>Street Frontage Requirements</u>	<u>§ 145.1</u>	<u>Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.</u>
<u>Ground Floor Commercial</u>	<u>§ 145.4</u>	<u>Market Street and Church Street for the entirety of the Upper Market NCT</u>
<u>Vehicular Access Restrictions</u>	<u>§ 155(r)</u>	<u>Prohibited on Market Street from Embarcadero to Castro Street. CU required on Duboce Street from Noe to Market Streets</u>
<b>Miscellaneous</b>		
<u>Lot Size (Per Development)</u>	<u>§ 102, 121.1</u>	<u>P up to 9,999 square feet; C 10,000 square feet and above</u>
<u>Planned Unit Development</u>	<u>§ 304</u>	<u>N/A</u>
<u>Awning, Canopy or Marquee</u>	<u>§ 136.1</u>	<u>P</u>
<u>Signs</u>	<u>§§ 262, 602-604, 607, 607.1, 608, 609</u>	<u>As permitted by § 607.1 and the Upper Market Street Special Sign District in § 609.12</u>
<u>General Advertising Signs</u>	<u>§§ 262, 602.7, 604, 608, 609, 610, 611</u>	<u>NP</u>
<u>Design Guidelines</u>	<u>General Plan Commerce and Industry Element</u>	<u>Subject to the Urban Design Guidelines</u>

<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<b><u>RESIDENTIAL STANDARDS AND USES</u></b>		
<b><u>Development Standards</u></b>		
<u>Usable Open Space [Per Dwelling Unit]</u>	<u>§§135, 136</u>	<u>60 square feet if private, or 80 square feet if common.</u>
<u>Off-Street Parking Requirements</u>	<u>§§ 151.1, 161</u>	<u>Car parking not required. P up to 0.5 spaces per Dwelling Unit; C up to .75 spaces per Dwelling Unit; not permitted above .75 spaces per Dwelling Unit. Bike parking required per § 155.2. If car parking is provided, car share spaces are required when a project has 50 units or more per §166.</u>
<u>Dwelling Unit Mix</u>	<u>§ 207.6</u>	<u>40% of Dwelling Units shall contain at least two Bedrooms.</u>

<i>Use Characteristics</i>				
<i>Single Room Occupancy</i>	<u>§ 102</u>	<u>P</u>		
<i>Student Housing</i>	<u>§ 102</u>	<u>P</u>		
<i>Residential Uses</i>		<i>Controls By Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Uses</i>	<u>§ 102</u>	<u>P(1)</u>	<u>P</u>	<u>P</u>
<i>Dwelling Units, Senior Housing, and Group Housing.</i>	<u>§ 102, 202.2(f), 207, 208</u>	<i>No 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.</i>		
<i>Accessory Dwelling Unit</i>	<u>§§102, 207(c)(4)</u>	<i>P within the existing building envelope. 1 ADU allowed in buildings with 4 or fewer Dwelling Units. No limit in buildings with 5 or more Dwelling Units. ADUs may not eliminate or reduce ground-story retail or commercial space.</i>		
<i>Homeless Shelters</i>	<u>§§ 102, 208</u>	<i>Density limits regulated by the Administrative Code</i>		
<i>Loss and Division of Dwelling Units</i>		<i>Controls by Story</i>		
		<i>1<sup>st</sup></i>	<i>2<sup>nd</sup></i>	<i>3<sup>rd</sup></i>
<i>Residential Conversion</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>NP</u>
<i>Residential Demolition or Merger</i>	<u>§ 317</u>	<u>C</u>	<u>C</u>	<u>C</u>
<i>Division of Dwelling Units</i>	<u>§207.8</u>	<i>Division of existing Dwelling Units P per §207.8</i>		

<i>Zoning Category</i>	<i>§ References</i>	<i>Controls</i>
<b>NON-RESIDENTIAL STANDARDS AND USES</b>		
<i>Development Standards</i>		
<i>Floor Area Ratio</i>	<u>§§ 102, 123, 124</u>	<u>3.0 to 1</u>
<i>Use Size</i>	<u>§102, 121.2</u>	<i>P up to 2,999 square feet; C 3,000 square feet and above</i>
<i>Off-Street Parking Requirements</i>	<u>§§ 145.1, 150, 151.1, 153 - 156, 166, 204.5</u>	<i>Car parking not required. Limits set forth in Section 151.1. Bike parking required per Section 155.2. Car share spaces required when a project has 25 or more parking spaces per §166.</i>
<i>Off-Street Freight Loading</i>	<u>§§ 150, 152, 153 - 155, 161, 204.5</u>	<i>None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §161.</i>
<i>Commercial Use Characteristics</i>		



1	<u>Drive-up Facility</u>	<u>§102</u>	<u>NP</u>		
	<u>Formula Retail</u>	<u>§§102, 303.1</u>	<u>C</u>		
2	<u>Hours of Operation</u>	<u>§102</u>	<u>P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.</u>		
	<u>Maritime Use</u>	<u>§102</u>	<u>NP</u>		
3	<u>Open Air Sales</u>	<u>§§102, 703(b)</u>	<u>See §703(b)</u>		
4	<u>Outdoor Activity Area</u>	<u>§§102, 145.2</u>	<u>P if located in front; C if located elsewhere</u>		
5	<u>Walk-up Facility</u>	<u>§102</u>	<u>P</u>		
	<b><u>Controls by Story</u></b>				
6	<u>Agricultural Use Category</u>		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
7	<u>Agriculture, Neighborhood</u>	<u>§§102, 202.2(c)</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Agriculture, Large Scale Urban</u>	<u>§§102, 202.2(c)</u>	<u>C</u>	<u>C</u>	<u>C</u>
8	<u>Greenhouse</u>	<u>§§102, 202.2(c)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<b><u>Automotive Use Category</u></b>				
9	<u>Automotive Uses*</u>	<u>§§102, 187.1, 202.2(b), 202.5, 202.5</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
10	<u>Automotive Repair</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<u>Parking Garage, Private</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
12	<u>Parking Garage, Public</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
13	<u>Parking Lot, Private</u>	<u>§§102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
14	<u>Parking Lot, Public</u>	<u>§§ 102, 142, 156</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<b><u>Entertainment, Arts and Recreation Use Category</u></b>				
15	<u>Entertainment, Arts and Recreation Uses*</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
16	<u>Amusement Game Arcade</u>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>NP</u>
17	<u>Entertainment, General</u>	<u>§102</u>	<u>C(8)</u>	<u>NP</u>	<u>NP</u>
	<u>Entertainment, Nighttime</u>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
18	<u>Movie Theater</u>	<u>§§102, 202.4</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
19	<u>Open Recreation Area</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
	<u>Passive Outdoor Recreation</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
20	<b><u>Industrial Use Category</u></b>				
21	<u>Industrial Uses*</u>	<u>§§102, 202.2(d)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<b><u>Institutional Use Category</u></b>				
22	<u>Institutional Uses*</u>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>C</u>
23	<u>Child Care Facility</u>	<u>§102</u>	<u>P</u>	<u>P(2)</u>	<u>P(2)</u>
	<u>Hospital</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
24	<u>Medical Cannabis Dispensary</u>	<u>§§102, 202.2(e)</u>	<u>DR</u>	<u>NP</u>	<u>NP</u>
	<u>Philanthropic Admin. Services</u>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<u>Public Facilities</u>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>

1	<i>Residential Care Facility</i>	<u>§102</u>	<u>P</u>	<u>P(3)</u>	<u>P(3)</u>
2	<b><i>Sales and Service Use Category</i></b>				
3	<i>Retail Sales and Service Uses*</i>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>P</u>	<u>NP</u>
4	<i>Adult Business</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
5	<i>Animal Hospital</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
6	<i>Bar</i>	<u>§§102, 202.2(a)</u>	<u>C(7)</u>	<u>NP(7)</u>	<u>NP</u>
7	<i>Gym</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
8	<i>Hotel</i>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>C</u>
9	<i> kennel</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
10	<i>Liquor Store</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
11	<i>Massage Establishment</i>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
12	<i>Massage, Foot/Chair</i>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
13	<i>Mortuary</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	<i>Motel</i>	<u>§§102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
15	<i>Restaurant</i>	<u>§§102, 202.2(a)</u>	<u>C(4)</u>	<u>NP</u>	<u>NP</u>
16	<i>Restaurant, Limited</i>	<u>§§102, 202.2(a)</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
17	<i>Services, Financial</i>	<u>§102</u>	<u>C</u>	<u>C</u>	<u>NP</u>
18	<i>Services, Fringe Financial</i>	<u>§102</u>	<u>NP(5)</u>	<u>NP(5)</u>	<u>NP(5)</u>
19	<i>Services, Health</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
20	<i>Services, Instructional</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
21	<i>Services, Limited Financial</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
22	<i>Services, Personal</i>	<u>§102</u>	<u>P</u>	<u>P</u>	<u>C</u>
23	<i>Services, Retail Professional</i>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
24	<i>Storage, Self</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
25	<i>Tobacco Paraphernalia Store Establishment</i>	<u>§102</u>	<u>C</u>	<u>NP</u>	<u>NP</u>
	<i>Trade Shop</i>	<u>§102</u>	<u>P</u>	<u>C</u>	<u>NP</u>
	<i>Non-Retail Sales and Service*</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<i>Design Professional</i>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
	<i>Trade Office</i>	<u>§102</u>	<u>C</u>	<u>P</u>	<u>C</u>
	<b><i>Utility and Infrastructure Use Category</i></b>				
	<i>Utility and Infrastructure*</i>	<u>§102</u>	<u>C(6)</u>	<u>C(6)</u>	<u>C(6)</u>
	<i>Power Plant</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
	<i>Public Utilities Yard</i>	<u>§102</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

\* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) C required for 13 or more children

(3) C required for seven or more persons.

1 (4) UPPER MARKET STREET LIQUOR LICENSES FOR RESTAURANTS

2 Boundaries: Applicable to the Upper Market Street Neighborhood Commercial Transit District.

3 Controls: A Restaurant Use may only add ABC license types 47, 49 or 75 as a conditional use on the ground level  
4 if, in addition to the criteria set forth in Section 303, the Planning Commission finds that the Restaurant is  
5 operating as a Bona Fide Eating Place. Should a Restaurant fail to operate as a Bona Fide Eating Place for any  
6 length of time, the conditional use authorization shall be subject to immediate revocation.

7 (5) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

8 Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Upper Market  
9 Street NCT Neighborhood Commercial District.

10 Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section 249.35.  
11 Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in  
12 subsection 249.35(c)(3).

13 (6) C if a Macro WTS Facility; P if a Micro WTS Facility.

14 (7) Within the Upper Market Street Neighborhood Commercial Transit District, an existing Bar on the ground floor  
15 operating under a Conditional Use authorization may expand to the second floor if: (a) the space to be converted  
16 has not been in Residential use within the previous five years, (b) an internal staircase connecting the ground floor  
17 Bar use and the upper floor already exists, and (c) there will be no expansion of the building envelope.

18 (8) Within the Upper Market Neighborhood Commercial Transit District, up to four mechanical amusement devices are  
19 considered an accessory use and up to ten mechanical amusement devices will be considered an Amusement Game  
20 Arcade use.

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

22 \* \* \* \*

23 (b) **Controls.** The ~~following~~ controls for the NC-S District, as set forth in Sections  
24 713.10 ~~through 713.95~~ of this Code, shall apply to the Lakeshore Plaza Special Use District,  
25 except as provided below:

\* \* \* \*

26 **SEC. 780.2. BAYSHORE-HESTER SPECIAL USE DISTRICT.**

27 \* \* \* \*

28 (b) **Controls.** All of the controls for the NC-S District, as set forth in Sections 713.10  
29 ~~through 713.95~~ of this Code, shall apply to the Bayshore-Hester Special Use District, except  
30 that a Motel or Tourist Hotel shall be permitted as a Conditional Use. as provided below:

<i>Zoning Category No.</i>	<i>Controls</i>
55	<i>Tourist hotel (inclusive of a motel) shall be permitted as a conditional use of property.</i>

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

(a) **Purpose.** In order to preserve and maintain the mix and variety of neighborhood-serving retail sales and personal services of a type ~~which~~ that supplies commodities or offers personal services to residents of North Beach and nearby neighborhoods, to preserve and maintain the District's small-scale, fine grain storefronts, and to protect and encourage upper-story Residential Uses, there shall be a North Beach Special Use District applicable to the North Beach Neighborhood Commercial District, as designated on the Sectional Map SU01 of the Zoning Map of the City and County of San Francisco.

(b) **Definitions.** The following definition applies only to the North Beach Special Use District: Specialty Food Manufacturing. A Commercial Use that includes the manufacturing and processing of foods on the premises for retail and/or wholesale sales and also provides a customer service counter for sale of such manufactured or processed food directly to the consumer. It may have seating as a minor and incidental use that occupies less than 15% of the Occupied Floor Area of the establishment. It includes, but is not limited to bakeries, coffee roasters, confectionaries, chocolatiers, makers of homemade ice cream and handmade gelato or sorbet. It shall not provide any alcohol sales for consumption on or off the premises.

(c) **Controls.** The following provisions shall apply within such ~~a~~ District:

(a) (1) **Restaurants, Limited Restaurants, and Bars.** Restaurants, as defined in Section 790.91 of this Code Limited Restaurant, and Bars uses as defined in Section 790.22 of this Code may be permitted as a eConditional uUse on the First Story ground level per Section 303 only if, in addition to the criteria set forth in Section 303 of this Code, the Planning Commission finds the Zoning Administrator first determines that the Restaurant, Limited Restaurant, or Bar does not

1 would occupy: (1) a space that is currently or was last legally occupied by a Basic Neighborhood  
2 Sale or Service, as defined in Section 780.3(b), or by a permitted principal use under Section 722  
3 (North Beach Controls); or the same use as that being proposed; provided that such use has not been  
4 discontinued or abandoned pursuant to Sections 186.1(d) or 178(d) of this Code; and provided further  
5 that the following shall apply:

6 (A) A Bar may occupy a space that is currently or last legally occupied by a  
7 Bar;

8 (B) A Restaurant may occupy a space that is currently or was last legally  
9 occupied by a Restaurant or Bar; and

10 (C) A Limited Restaurant may occupy a space that is currently or was last  
11 legally occupied by a Limited Restaurant, Restaurant or Bar.

12 (D) Except as provided herein, no other Use Category shall be  
13 allowed to convert to a Limited Restaurant, Restaurant or Bar.

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

17 (b) — For purposes of this Section, a Basic Neighborhood Sale or Service shall mean a use  
18 within the North Beach Neighborhood Commercial District that provides goods and/or services which  
19 are needed by residents and workers in North Beach and surrounding neighborhoods. Basic  
20 Neighborhood Sales or Services shall be considered to include, but not be limited to the following  
21 goods and/or services: Other Retail Sales and Services as defined in Section 790.102, Personal  
22 Services as defined in Section 790.116, Medical Services as defined in Section 790.114, Liquor Stores  
23 as defined in Section 790.55, Trade Shops as defined in Section 790.124, Animal Hospitals as defined  
24 in Section 790.6, and Limited Restaurants as defined in Section 790.90.

1           (c) ~~Notwithstanding subsection (a) above, and notwithstanding the nonresidential use size~~  
2 ~~limitations of the North Beach Neighborhood Commercial District specified in Section 121.2 of this~~  
3 ~~Code, the Planning Commission may authorize an existing Restaurant in the District to expand to a~~  
4 ~~second location within the District if, in addition to the criteria in Section 303, the Commission finds~~  
5 ~~that:~~

6           (1) ~~the existing Restaurant has been in continuous operation within the District for~~  
7 ~~at least five years;~~

8           (2) ~~the proposed second location is a ground-level space of 5,000 square feet or~~  
9 ~~more that has been vacant for at least 15 months;~~

10           (3) ~~the Restaurant project at the proposed second location will use at least 40~~  
11 ~~percent of the space for a Basic Neighborhood Sales or Service use, as defined in subsection (b) above;~~

12           (4) ~~the expansion of the existing Restaurant into a second location is consistent with~~  
13 ~~the General Plan and the eight priority policies of Section 101.1 of this Code; and~~

14           (5) ~~the expansion of the existing Restaurant into a second location will provide a net~~  
15 ~~substantial benefit to the District. For purposes of this subsection (c), a "net substantial benefit" means~~  
16 ~~that, on balance, the proposed second location will provide a desirable new service or addition to the~~  
17 ~~surrounding neighborhood and to the District as a whole and will not conflict with the purpose and~~  
18 ~~intent of this Section 780.3.~~

19           (2) Alcohol Licenses. A Restaurant may provide on-site beer, wine, and/or liquor  
20 sales for drinking on the premises (with ABC license types 41, 47, 49, 59 or 75) as a Conditional Use  
21 on the First Story if, in addition to the criteria set forth in Section 303, the Planning Commission finds,  
22 based on information submitted to the Department by the applicant, that the Restaurant is and will  
23 continue to operate as a Bona-Fide Eating Place as defined in Section 102. Should a Restaurant fail to  
24 operate as a Bona-Fide Eating Place for any length of time, the Conditional Use authorization shall be  
25 subject to immediate revocation per Planning Code Section 303(f). To verify that the Restaurant is

1 continuing to operate as a Bona-Fide Eating Place, records of the Restaurant's gross receipts, showing  
2 that a minimum of 51% of its gross receipts within the last year preceding the Department's request is  
3 from food sales prepared and sold to guests on the premises, shall be provided to the Department upon  
4 request. All records and information shall be submitted to the Department under penalty of perjury.

5 (3) **Storefronts.** To preserve and maintain the District's small-scale, fine grain  
6 storefronts, (A) the consolidation or merger of existing retail or commercial spaces or storefronts is  
7 prohibited, and (B) Specialty Groceries shall not exceed a Non-Residential Use Size of 1,000 square  
8 feet.

9 (4) **Loss of Residential Units.** To prevent the loss of existing Residential Units  
10 within the district, the removal, demolition, merger, or conversion of Residential Units above the First  
11 Story are prohibited.

12 (5) **Specialty Food Manufacturing.** Within the North Beach SUD a Specialty Food  
13 Manufacturing use, as defined in this Section 780.3(b), may only be permitted with a Conditional Use  
14 authorization on the Ground Floor or below.

15 **SEC. 781.1. TARAVAL STREET RESTAURANT SUBDISTRICT.**

16 (a) **Purpose.** In order to preserve the mix and variety of goods and services provided  
17 to the Sunset and Parkside neighborhoods and City residents, prevent further proliferation of  
18 restaurant uses and prevent further aggravation of parking and traffic congestion in this  
19 district, there shall be a Taraval Street Restaurant Subdistrict, generally applicable for the NC-  
20 1-zoned portion of Taraval Street located between 40th and 41st Avenues and between 45th  
21 and 47th Avenues, and for the NC-2-zoned portion of Taraval Street located between 12th  
22 and 36th Avenues, as designated on Sectional Maps SU05 and SU06 of the Zoning Map.

23 (b) **Controls.** The following provisions shall apply within such sSubdistrict:

24 (a) (1) Restaurants and Limited-Restaurants, as defined in Sections 790.90 and  
5 790.91 of this Code, are permitted as eConditional uUses on the ffirst sStory and below.

1           **(b)**   **(2)**    Restaurants and Limited-Restaurants also defined as fFormula rRetail, as  
2 defined in Section 303.1 of this Code, shall not be permitted in this sSubdistrict.

3           **(c)**   **(3)**    The provisions of Sections 180 through 186.1 of this Code shall govern  
4 Restaurants and Limited-Restaurants also defined as fFormula rRetail, which existed lawfully  
5 at the effective date of this Code in this sSubdistrict.

6   **SEC. 781.4. GEARY BOULEVARD FORMULA RETAIL PET SUPPLY STORE AND**  
7 **FORMULA RETAIL EATING AND DRINKING SUBDISTRICT.**

8           **(a)**    Purpose. In order to preserve the mix and variety of goods and services provided  
9 to the Richmond neighborhood and City residents and prevent further proliferation of formula  
10 retail pet supply stores and eating and drinking uses, and prevent further aggravation of  
11 parking and traffic congestion in this district, there shall be a Geary Boulevard Formula Retail  
12 Pet Supply Store and Formula Retail Eating and Drinking Subdistrict, generally applicable for  
13 the NC-3-zoned portion of Geary Boulevard between 14th and 28th Avenues, as designated  
14 on Sectional Maps 3SU and 4SU of the Zoning Map.

15           **(b)**    Controls. The following provisions shall apply within such sSubdistrict:

16           **(1)**    A rRetail uUse, ~~as defined in Section 790.102(g) of this Code,~~ that is a pet  
17 supply store and also a fFormula rRetail use, as defined in Section 303.1 of this Code, shall  
18 not be permitted in this sSubdistrict. For purposes of this section, a "pet supply store" shall be  
19 defined as a rRetail uUse which devotes more than 50% of its occupied floor Area space to  
20 pet food, toys, apparatus, and similar pet items for sale.

21           **(2)**    An eEating and dDrinking use, ~~as defined in Section 790.34 of this Code,~~ that  
22 is also a fFormula rRetail use, ~~as defined in Section 303.1 of this Code,~~ shall not be permitted in  
23 this sSubdistrict.



1           **(b)**   **(3)**    The provisions of Sections 180 through 186.1 of this Code shall govern  
2 ~~F~~Formula ~~R~~Retail pet supply stores and eating and drinking uses which existed lawfully at the  
3 effective date of this Code in this ~~s~~Subdistrict.

4   **SEC. 781.5. MISSION STREET FORMULA RETAIL RESTAURANT SUBDISTRICT.**

5           **(a)**    **Purpose.** In order to preserve the mix and variety of goods and services provided  
6 to the Mission neighborhood and City residents and prevent further proliferation of formula  
7 retail restaurant uses, there shall be a Mission Street Formula Retail Restaurant Subdistrict,  
8 generally applicable for the NC-3-zoned portion of Mission Street between 14th and Randall  
9 Streets, as designated on Sectional Map 7SU of the Zoning Map.

10           **(b)**    **Controls.** The following provisions shall apply within such ~~s~~Subdistrict:

11           **(a)**    **(1)**    A Limited-Restaurant use, ~~as defined by Planning Code Section 790.90, and~~  
12 ~~or a Restaurant Use, as defined by Planning Code Section 790.91,~~ that are also Formula Retail  
13 ~~Uses,~~ as defined in Planning Code Section 303.1, shall not be permitted in this ~~s~~Subdistrict.

14           **(b)**    **(2)**    The provisions of Sections 180 through 186.1 of this Code shall govern  
15 Formula Retail Limited-Restaurants and Restaurants which existed lawfully at the effective  
16 date of this Code in this ~~s~~Subdistrict.

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

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

24           **(b)**    **Controls.** The following provisions shall apply within such ~~s~~Subdistrict:  
25

1           (a)    (1)    A financial service, *as defined in Section 790.110 of this Code*, shall not be  
2 *permitted in this subdistrict.*

3           (b)    or a limited financial service, *as defined in Section 790.112 of this Code*, shall  
4 not be permitted in this subdistrict.

5           (e)    (2)    A *business Retail* or professional service, *Design Professional and Trade*  
6 *Office, as defined in Section 790.108 of this Code*, shall not be permitted in this subdistrict on the  
7 first story.

8           (3)    The provisions of Sections 180 through 186.1 of this Code shall govern  
9 financial services, limited financial services, *and business Retail or p*rofessional  
10 services, *Design Professional and Trade Offices that which* existed lawfully at the effective date  
11 of this Code in this subdistrict.

#### 12 **SEC. 781.7. CHESTNUT STREET FINANCIAL SERVICE SUBDISTRICT.**

13           (a)    Purpose. In order to preserve the unique mixture of sales and services in the  
14 Chestnut Street area, there shall be a Chestnut Street Financial Service Subdistrict, generally  
15 applicable for the NC-2-zoned portion of Chestnut Street, including NC-2-zoned portions of  
16 cross streets, between Webster and Broderick Streets, as designated on Sectional Map 2SU  
17 of the Zoning Map.

18           (b)    Controls. The following provisions shall apply within such Subdistrict:

19           (a)    (1)    A financial service, *as defined in Section 790.110 of this Code*, *and or a*  
20 limited financial service, *as defined in Section 790.112 of this Code*, shall not be permitted in  
21 this Subdistrict.

22           (b)    (2)    The provisions of Sections 180 through 186.2 of the Code shall govern  
23 financial services *and Limited Financial Services* which existed lawfully at the effective date of  
24 this Code in this Subdistrict.

#### 25 **SEC. 781.9. HAIGHT STREET ALCOHOL RESTRICTED USE SUBDISTRICT.**

1           (a)     Purpose. There is an unusually large number of establishments dispensing  
2 alcoholic beverages, including beer and wine, for both on-site and off-site consumption in the  
3 Haight-Ashbury neighborhood. A concentration of alcoholic beverage establishments in a  
4 neighborhood disrupts the desired mix of land uses that contribute to a livable neighborhood  
5 and discourages more desirable and needed commercial uses in the area. A concentration of  
6 establishments selling alcoholic beverages in an area may therefore contribute to the  
7 deterioration of the neighborhood and to the concomitant devaluation of property and  
8 destruction of community values and quality of life. These effects contribute to peace, health,  
9 safety and general welfare problems in these areas, including loitering, littering, public  
10 drunkenness, driving while intoxicated, defacement and damaging of structures, pedestrian  
11 obstructions, as well as traffic circulation, parking and noise problems on public streets and  
12 neighborhood lots, and other nuisance activities. The existence of such problems creates  
13 serious impacts on the health, safety and welfare of residents of nearby single- and multiple-  
14 family areas. These impacts include fear for the safety of children, elderly residents and  
15 visitors to the area.

16           (a) (b) Boundaries. Haight Street Alcohol Restricted Use Subdistrict Established. *In order to*  
17 *preserve the residential character and the neighborhood-serving commercial uses of the Haight-*  
18 *Ashbury neighborhood, ~~the~~ The Haight Street Alcohol Restricted Use Subdistrict (Haight Street*  
19 *Alcohol RUSD) is ~~hereby established with boundaries~~ coterminous with the Haight Street*  
20 *Neighborhood Commercial District as designated on Sectional Maps ~~numbers 6~~ ZN06 and*  
21 *ZN07. The Haight Street Alcohol RUSD is designated on ~~Section~~ Sectional Maps ~~Numbers 6SU~~*  
22 *SU06 and ~~7SU~~ SU07. These controls shall also apply within 1/4-mile of the Haight Street Alcohol RUSD*  
23 *to nonconforming Commercial Uses in R Districts pursuant to Section 186 and in NC-1 Districts*  
24 *pursuant to Section 710 of this Code.*

25           (c)     Controls.

1 (1) **Definitions.**

2 (A) A "liquor establishment" shall mean any enterprise selling alcoholic  
3 beverages, as defined by California Business and Professions Code Section 23004 and 23025, pursuant  
4 to a California Alcoholic Beverage Control Board license.

5 (B) An "on-sale liquor establishment" shall mean any liquor establishment  
6 which has obtained Alcoholic Beverage Control Board License type 40 (on-sale beer), type 41 (on-sale  
7 beer and wine eating place), type 42 (on-sale beer and wine public premises), type 47 (on-sale general  
8 eating place), type 48 (on-sale general-public premises) or type 57 (special on-sale general) selling  
9 alcoholic beverages for consumption on the premises. Typical on-sale establishments may include but  
10 are not limited to Bars and Restaurants serving alcoholic beverages. It shall not include types 51, 52,  
11 59, 60, 61, 67, 70 or 75.

12 (C) An "off-sale liquor establishment" shall mean a Liquor Store use.

13 (D) A "prohibited liquor establishment" shall mean any establishment selling  
14 alcoholic beverages lawfully existing prior to the effective date of the establishment of the Haight Street  
15 Alcohol RUSD and licensed by the State of California for the retail sale of alcoholic beverages for on  
16 or off-site consumption, so long as otherwise lawful.

17 (E) An "eligible movie theater" shall be a Movie Theater use that contains  
18 only a single screen and auditorium, has seating for 150 or fewer persons, and is not a Formula Retail  
19 Use as defined in Code Section 303.1.

20 ~~(1)~~ **(2) Prohibition on new Liquor Establishments.** No new on-sale or off-sale liquor  
21 establishment shall be permitted in the Haight Street RUSD, except for up to ~~4~~four additional  
22 Restaurants in accordance with the zoning controls set forth in Section 719.

23 ~~(2) These controls also shall apply within 1/4 mile of the Haight Street Alcohol RUSD to~~  
24 ~~nonconforming uses in R districts pursuant to Planning Code Section 186, and in NC-1 Districts;~~

1 *pursuant to the Special Provisions for NC-1 Districts which follows the Control Table constituting*  
2 *Sections 710.10 through 710.95.*

3 (3) **Exemptions.** The prohibition on ~~L~~iquor ~~E~~stablishments shall not be  
4 interpreted to prohibit the following:

5 (A) Temporary uses, as described in Planning Code Section 205.1 or  
6 205.3; or

7 (B) Establishment of a ~~L~~iquor ~~E~~stablishment if application for such  
8 ~~L~~iquor ~~E~~stablishment is on file with the California Department of Alcoholic Beverage Control  
9 prior to the effective date of legislation establishing the Haight Street Alcohol RUSD.

10 (C) Establishment of a ~~L~~iquor ~~E~~stablishment if:

11 ~~(1)~~ *(i)* such use is an eligible movie theater,

12 ~~(2)~~ *(ii)* only beer and wine are offered for consumption, and

13 ~~(3)~~ *(iii)* such beer and wine are:

14 ~~(i)~~ *a.* only consumed on the premises and primarily in the main  
15 theater auditorium,

16 ~~(ii)~~ *b.* only sold to and consumed by ticketholders and only  
17 immediately before and during performances, and

18 ~~(iii)~~ *c.* only offered in conjunction with the screening of films and  
19 not as an independent element of the establishment that is unrelated to the viewing of films.

20 *For purposes of this Section, an "eligible movie theater" shall be a movie theater as defined in*  
21 *Code Section 790.64 that contains only a single screen and auditorium, has seating for 150 or fewer*  
22 *persons, and is not a formula retail use as defined in Code Section 303.1.*

23 (4) **Continuation of existing Prohibited Liquor Establishments.** In the  
24 Haight Street Alcohol RUSD, any ~~P~~rohibited ~~L~~iquor ~~E~~stablishment may continue in  
25 accordance with *Planning Code* Sections 180 through 186.2 *of this Code*, subject to the

1 following provisions. ~~For purposes of this Section, the Haight Street Alcohol RUSD shall be~~  
2 ~~considered to include, pursuant to Section 186 of this Code and to the Special Provisions for NC-1~~  
3 ~~Districts, the area within 1/4 mile of the Haight Street Alcohol RUSD as mapped.~~

4 (A) A ~~P~~rohibited ~~L~~iquor ~~E~~stablishment lawfully existing and selling  
5 alcoholic beverages as licensed by the State of California prior to the effective date of this  
6 legislation, or subsequent legislation prohibiting that type of ~~L~~iquor ~~E~~stablishment, so long as  
7 otherwise lawful, may continue to operate only under the following conditions, as provided by  
8 California Business and Professions Code Section 23790:

9 (i) ~~(1)~~ Except as provided by ~~S~~ubsection (B) below, the premises  
10 shall retain the same type of retail liquor license within a license classification; and

11 (ii) ~~(2)~~ Except as provided by ~~S~~ubsection (B) below, the licensed  
12 premises shall be operated continuously, without substantial change in mode or character of  
13 operation.

14 (B) A break in continuous operation shall not be interpreted to include  
15 the following, provided that the location of the establishment does not change, the square  
16 footage used for the sale of alcoholic beverages does not increase, and the type of California  
17 Department of Alcoholic Beverage Control Liquor License ("ABC License") does not change  
18 except as indicated:

19 (i) ~~(1)~~ A change in ownership of a ~~P~~rohibited ~~L~~iquor  
20 ~~E~~stablishment or an owner-to-owner transfer of an ABC License; or

21 (ii) ~~(2)~~ Re-establishment, restoration or repair of an existing  
22 ~~P~~rohibited ~~L~~iquor ~~E~~stablishment on the same lot after total or partial destruction or damage  
23 due to fire, riot, insurrection, toxic accident or act of God; or

24 (iii) ~~(3)~~ Temporary closure of an existing ~~P~~rohibited ~~L~~iquor  
25 ~~E~~stablishment for not more than ninety (90) days for repair, renovation or remodeling;

1                    ~~(iv)~~ (4) Relocation ~~Re-location~~ of an existing ~~P~~prohibited ~~L~~liquor  
2 ~~E~~establishment in the Haight Street Alcohol RUSD to another location within the same Haight  
3 Street Alcohol RUSD with ~~e~~Conditional ~~u~~Use authorization from the ~~C~~ity-Planning  
4 Commission, provided that the original premises shall not be occupied by a ~~P~~prohibited  
5 ~~L~~liquor ~~E~~establishment, unless by another ~~P~~prohibited ~~L~~liquor ~~E~~establishment that is also  
6 relocating from within the Haight Street Alcohol RUSD.

7                    ~~(v)~~ (5) A change from a Type 21 (off-sale general) to a Type 20  
8 (off-sale beer and wine) license.

9                    ~~(b)~~ **Definitions.**

10                    ~~(1)~~ — ~~A "liquor establishment" shall mean any enterprise selling alcoholic beverages,~~  
11 ~~as defined by California Business and Professions Code Section 23004 and 23025, pursuant to a~~  
12 ~~California Alcoholic Beverage Control Board license.~~

13                    ~~(2)~~ — ~~An "on-sale liquor establishment" shall mean any liquor establishment which has~~  
14 ~~obtained Alcoholic Beverage Control Board License type 40 (on-sale beer), type 41 (on-sale beer and~~  
15 ~~wine eating place), type 42 (on-sale beer and wine public premises), type 47 (on-sale general eating~~  
16 ~~place), type 48 (on-sale general public premises) or type 57 (special on-sale general) selling alcoholic~~  
17 ~~beverages for consumption on the premises. Typical on-sale establishments may include but are not~~  
18 ~~limited to bars and restaurants serving alcoholic beverages. It shall not include types 51, 52, 59, 60,~~  
19 ~~61, 67, 70 or 75.~~

20                    ~~(3)~~ — ~~An "off-sale liquor establishment" shall mean any establishment that is defined~~  
21 ~~in Section 790.55 of this Code.~~

22                    ~~(4)~~ — ~~A "prohibited liquor establishment" shall mean any establishment selling~~  
23 ~~alcoholic beverages lawfully existing prior to the effective date of the establishment of the Haight Street~~  
24 ~~Alcohol RUSD and licensed by the State of California for the retail sale of alcoholic beverages for on~~  
5 ~~or off-site consumption, so long as otherwise lawful.~~

1           (e)    (d)    **Fringe Financial Services.** In addition to all other applicable controls set  
2 forth in this Code, properties in the Haight Street Alcohol Restricted Use Subdistrict are within  
3 the Fringe Financial Service Restricted Use District established by Section 249.35 and are  
4 subject to the controls and exemptions set forth in Section 249.35.

5   **SEC. 784. LOWER HAIGHT STREET ALCOHOL RESTRICTED USE DISTRICT.**

6           \* \* \* \*

7           (b)    **Establishment of the Lower Haight Street Alcohol Restricted Use District.**

8 In order to preserve the residential character and the neighborhood-serving commercial uses  
9 of the area, the Lower Haight Street Alcohol Restricted Use District (Lower Haight Street  
10 Alcohol RUD) is hereby established for the following:

11           (1)    Properties in the Neighborhood Commercial Cluster District located  
12 generally along Haight Street at Scott Street;

13           (2)    Properties in the Neighborhood Commercial Cluster District located  
14 generally along Haight Street at Pierce Street;

15           (3)    Properties in the Small-Scale Neighborhood Commercial District located  
16 generally along Haight Street at and between Steiner and Webster Streets.

17           The above Neighborhood Commercial Cluster Districts and Small-Scale Neighborhood  
18 Commercial District are designated on Sectional Map ~~Number 7~~ ZN07 of the Zoning Map of the  
19 City and County of San Francisco. Block and lot numbers for the properties included in these  
20 districts are on file with the Clerk of the Board of Supervisors in File No. 060537 and are  
21 incorporated herein by reference. The Lower Haight Street Alcohol RUD is designated on  
22 Sectional Map Number ~~7SU~~ SU07 of the Zoning Map of the City and County of San Francisco.

23           \* \* \* \*

24           (c)    **Definitions.** The following definitions shall apply to this Section 784.



1 (1) An "off-sale liquor establishment" shall mean a Liquor Store use any  
2 establishment that is defined in Section 790.55 of this Code.

3 (2) A "prohibited liquor establishment" shall mean any establishment selling  
4 alcoholic beverages lawfully existing prior to the effective date of this ordinance and licensed  
5 by the State of California for the sale of alcoholic beverages for off-site consumption ("off-  
6 sale"), so long as otherwise lawful.

7 **SEC. 787. 1800 MARKET STREET COMMUNITY CENTER PROJECT SPECIAL USE**  
8 **DISTRICT.**

9 (a) Purpose. In order to provide for a compatible revenue-generating commercial  
10 and economic development use in a portion of the existing San Francisco Lesbian Gay  
11 Bisexual and Transgender Community Center at 1800 Market Street to financially support the  
12 ongoing operations of such community center, there shall be an 1800 Market Street  
13 Community Center Project Special Use District at 1800 Market Street located at the northwest  
14 corner of Market Street and Octavia Boulevard, consisting of Lot 014 of Assessor's Block 871,  
15 as designated on Sectional Map SU07 of the Zoning Map of the City and County of San  
16 Francisco. The following provisions shall apply within such special use district:

17 (a) (b) Controls. In this ~~s~~Special ~~u~~Use ~~d~~District, all of the provisions of this Code  
18 applicable in an NCT-3 Zoning District shall continue to apply, except as specifically provided  
19 in Subsections (b) and (c) below.

20 (b) (1) A ~~r~~Restaurant, as defined in Section 790.91, a ~~b~~Bar, as defined in Section  
21 790.22, Nighttime Entertainment, and other General eEntertainment, as defined in Section 790.38, up  
22 to 6,999 ~~gross~~ square feet ~~in use size of Gross Floor Area~~ shall be ~~p~~Permitted ~~u~~Uses on the  
23 ~~t~~Third ~~s~~Story and above.

24 (c) (2) An ~~o~~Outdoor ~~a~~Activity ~~a~~Area operated by a permitted ~~r~~Restaurant, ~~b~~Bar,  
5 Nighttime Entertainment, or other General eEntertainment use, as defined by Sections 145.2 and

1 ~~790.70~~, shall be a ~~p~~Permitted ~~u~~Use on the ~~t~~Third ~~s~~Story and above if located contiguous to the  
2 Market Street front property line, subject to the following restrictions:

3 ~~(1)~~ (A) Hours of operation of the ~~e~~Outdoor ~~a~~Activity ~~a~~Area shall be no later  
4 than 12:00 midnight Sunday through Thursday and 2:00 a.m. on Friday, Saturday, and  
5 evenings before a holiday.

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

10 **SEC. 788. LOWER POLK STREET ALCOHOL RESTRICTED USE DISTRICT.**

11 \* \* \* \*

12 (c) **Definitions.**

13 (1) A "liquor establishment" shall mean any enterprise selling alcoholic  
14 beverages, as defined by California Business and Professions Code Section 23004 and  
15 23025, pursuant to a California Alcoholic Beverage Control Board license. It shall not be  
16 interpreted to mean an establishment that

17 (A) operates as a Bona Fide Eating Place, ~~as defined in Section 790.142~~  
18 ~~of this Code~~, or

19 (B) operates as a General Grocery or Specialty Grocery use an "other  
20 ~~retail sales and service "use that sells general groceries or specialty groceries, as defined in Planning~~  
21 ~~Code Section 790.102(a) or (b), respectively.~~

22 (2) An "off sale liquor establishment" shall mean a Liquor Store use as defined  
23 ~~in Planning Code Section 790.55.~~

24 (3) An "on sale liquor establishment" shall mean a Bar use as defined in  
25 ~~Planning Code Section 790.22.~~

1 (d) **Controls.**

2 (1) No new on-sale or off-sale liquor establishment shall be permitted in the  
3 Lower Polk Street Alcohol Restricted Use District; provided that a liquor establishment located  
4 in the Lower Polk Street Alcohol Restricted Use District may transfer its alcohol license to  
5 another site, either within or outside the Lower Polk Street Alcohol Restricted Use District;  
6 provided further that a liquor establishment located outside the Lower Polk Street Alcohol  
7 Restricted Use District shall not transfer any alcohol license to a liquor establishment located  
8 within the Lower Polk Street Alcohol Restricted Use District; and provided further that any  
9 transfer of an alcohol license to a new location within the Lower Polk Street Alcohol Restricted  
10 Use District shall require a ~~e~~Conditional ~~u~~Use ~~permit~~ authorization for the new liquor  
11 establishment.

2 (2) Whenever a liquor establishment has discontinued its use for a  
13 continuous period of one year or more, the liquor establishment shall be deemed to have  
14 abandoned its use as a liquor establishment; provided that a break in continuous operation  
15 shall not be interpreted to include the following, as long as the location of the establishment  
16 does not change, the square footage used for the sale of alcoholic beverages does not  
17 increase, and the type of California Department of Alcoholic Beverage Control Liquor License  
18 ("ABC License") does not change:

19 \* \* \* \*

20 (C) A change in ownership of a ~~L~~liquor ~~E~~establishment or an owner-to-  
21 owner transfer of an ABC License.

22 \* \* \* \*

23  
24 Section 4. The Planning Code is hereby amended by revising Sections 801.2, 803.3,  
25 803.8, 803.9, and 825, to read as follows:

1 **SEC. 801.2. REFERENCES TO ARTICLES 1, ~~AND 2,~~ AND 7 (TEMPORARY).**

2 Articles 1, ~~and 2~~ and 7 of this Code are in the process of a significant reorganization. As  
3 a result, some references to Articles 1, ~~and 2~~ and 7 have not yet been modified. The following  
4 references in this Section of the Code are amended as follows:

5 \* \* \* \*

6 227(h) shall refer to Section 102, Commercial Wireless Telecommunication Facility

7 790.22 shall refer to Section 102, Bar

8 790.44 shall refer to Section 102, Hospital

9 790.46 shall refer to Section 102, Tourist Hotel

10 790.48 shall refer to Section 102, Pharmacy

11 790.50 shall refer to Section 102, Institutional Use.

12 790.55 shall refer to Section 102, Liquor Store

13 790.84 shall refer to Section 317, Residential Conversion

14 790.90 shall refer to Section 102, Limited-Restaurant

15 790.91 shall refer to Section 102, Restaurant

16 790.102(a) shall refer to Section 102, General Grocery

17 790.110 shall refer to Section 102, Financial Service

18 790.114 shall refer to Section 102, Health Service

19 790.116 shall refer to Section 102, Personal Service

20 790.117 shall refer to Section 102, Self-Storage

21 Any other discrepancy between an Article 1, ~~or 2~~ or 7 references in this Section of the Code  
22 and the actual or intended reference shall be arbitrated by the Zoning Administrator on a  
23 case-by-case basis. Any other discrepancy between an Article 1, ~~and 2,~~ or 7 references in this  
24 Section of the Code and the actual or intended reference shall be arbitrated by the Zoning  
25 Administrator on a case-by-case basis.

1 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**  
2 **DISTRICTS AND SOUTH OF MARKET MIXED USE DISTRICTS.**

3 \* \* \* \*

4 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts and South  
5 of Market Mixed Use Districts are either *Principally Permitted*, *eConditional*, *aAccessory*,  
6 temporary, or are not permitted.

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

10 (A) **Principal Uses.** Principal ~~#~~Uses are permitted as of right in an  
11 Eastern Neighborhood Mixed Use District and South of Market Mixed Use District, when so  
12 indicated in Sections 813 through 818 and 840 through 847 of this Code for the district.  
13 Additional requirements and conditions may be placed on particular uses as provided  
14 pursuant to Section 803.5 through 803.9 and other applicable provisions of this Code.

15 (B) **Conditional Uses.** Conditional uses are permitted in an Eastern  
16 Neighborhood Mixed Use District and South of Market Mixed Use District, when authorized by  
17 the Planning Commission; whether a use is conditional in a given district is generally indicated  
18 in Sections 813 through 818 and 840 through 847 of this Code. Conditional uses are subject  
19 to the applicable provisions set forth in Sections 178, 179, 263.11, 303, ~~316~~, and 803.5  
20 through 803.9 of this Code.

21 (i) An establishment which sells beer or wine with motor  
22 vehicle fuel is a conditional use, and shall be governed by Sections ~~202(b)(1)~~ ~~229~~.

23 (ii) Notwithstanding any other provision of this Article, a change  
24 in use or demolition of a ~~m~~Movie ~~t~~Theater use, as set forth in Section 890.64, shall require  
25

1 eConditional uUse authorization. This Section shall not authorize a change in use if the new  
2 use or uses are otherwise prohibited.

3 (iii) Notwithstanding any other provision of this Article, a change  
4 in use or demolition of a gGeneral gGrocery store use, as set forth in Section 890.102(a) and  
5 as further defined in Section ~~102.790.102(a)~~, shall require eConditional uUse authorization. This  
6 Ssubsection (b)(1)(B)(iii) shall not authorize a change in use if the new use or uses are  
7 otherwise prohibited.

8 (iv) Large-Scale Urban Agriculture, as defined in Section  
9 102.35(b), shall require eConditional uUse authorization.

10 \* \* \* \*

11 **SEC. 803.8. HOUSING IN MIXED USE DISTRICTS.**

12 (a) **Low-Income Affordable Housing Within the Service/Light Industrial**  
13 **District.** Dwelling uUnits and SRO units may be authorized in the SLI District as a  
14 eConditional uUse pursuant to Sections 303, ~~316~~, 817.14, and 817.16 of this Code provided  
15 that such dDwellings uUnits shall be rented, leased or sold at rates or prices affordable to a  
16 household whose income is no greater than 80% percent of the median income for households  
17 in San Francisco ("lower income household"), as determined by Title 25 of the California Code  
18 of Regulations Section 6932 and implemented by the Mayor's Office of Housing.

19 \* \* \* \*

20 (2) The size of the dDwelling uUnit shall determine the size of the household  
21 in order to calculate purchase price or rent affordable to a household, as follows:

22 \* \* \* \*

23 (3) No eConditional uUse permit authorization will be approved pursuant to  
24 this Ssubsection 803.8(a b) unless the applicant and City have agreed upon enforcement  
25 mechanisms for the provisions of this Ssubsection which are acceptable to the City Attorney.

1 Such enforcement mechanisms may include, but not be limited to, a right of first refusal in  
2 favor of the City, or a promissory note and deed of trust.

3 (4) The owner(s) of ~~d~~Dwelling ~~u~~Units authorized pursuant to this ~~S~~subsection  
4 ~~(a)~~ shall submit an annual enforcement report to the City, along with a fee whose amount shall  
5 be determined periodically by the Planning Commission to pay for the cost of enforcement of  
6 this ~~S~~subsection. The fee shall not exceed the amount of such costs. The annual report shall  
7 provide information regarding rents, mortgage payments, sales price and other housing costs,  
8 annual household income, size of household in each dwelling unit, and any other information  
9 the City may require to fulfill the intent of this ~~S~~subsection.

10 \* \* \* \*

11 **SEC. 803.9. COMMERCIAL USES IN MIXED USE DISTRICTS.**

12 (a) **Preservation of Historic Buildings Within the South of Market Mixed Use**  
13 **Districts.** Within the South of Market Mixed Use Districts, any use which is permitted as a  
14 principal or ~~e~~Conditional ~~u~~Use within the SSO District, excluding ~~n~~Nighttime ~~e~~Entertainment  
15 use, may be permitted as a ~~e~~Conditional ~~u~~Use in ~~(a)~~ (1) a landmark building located outside a  
16 designated historic district, ~~(b)~~ (2) a contributory building which is proposed for conversion to  
17 ~~e~~Office use of an aggregate gross square footage of 25,000 or more per building and which is  
18 located outside the SSO District yet within a designated historic district, or ~~(c)~~ (3) a building  
19 designated as significant or contributory pursuant to Article 11 of this Code and located within  
20 the Extended Preservation District. For all such buildings the following conditions shall apply:  
21 ~~(1) the provisions of Sections 316 through 318 of this Code must be met;~~ (2) in addition to the  
22 ~~e~~Conditional ~~u~~Use criteria set out in Sections ~~303(c)(6) and 316 through 316.8,~~ it must be  
23 determined that allowing the use will enhance the feasibility of preserving the landmark,  
24 significant or contributory building; and ~~(3)~~ (2) the landmark, significant or contributory building  
25

1 will be made to conform with the San Francisco Building Code standards for seismic loads  
2 and forces which are in effect at the time of the application for conversion of use.

3 A contributory building which is in a designated historic district outside the SSO District may  
4 be converted to any use which is a ~~p~~Principal ~~u~~Use within the SSO District provided that: (1)  
5 such use does not exceed an aggregate square footage of 25,000 per building; and (2) prior  
6 to the issuance of any necessary permits the Zoning Administrator (a) determines that  
7 allowing the use will enhance the feasibility of preserving the contributory building; and (b) the  
8 contributory building will be made to conform with the San Francisco Building Code standards  
9 for seismic loads and forces which are in effect at the time of the application for conversion of  
10 use.

11 \* \* \* \*

12 **SEC. 825. DTR – DOWNTOWN RESIDENTIAL DISTRICTS.**

13 \* \* \* \*

14 (c) **Use.** A use is the specified purpose for which a property or building is used,  
15 occupied, maintained, or leased. Uses in Downtown Residential Districts are either permitted,  
16 conditional, accessory, temporary or are not permitted. If there are two or more uses in a  
17 structure, any use not classified in Section 825(c)(1)(C) below of this Code as accessory will  
18 be considered separately as an independent permitted, conditional, temporary or not  
19 permitted use.

20 (1) **Permitted Uses.**

21 (A) **Principal Uses.** All uses are permitted as ~~p~~Principal ~~u~~Uses as of  
22 right in a Downtown Residential district unless otherwise indicated as a Conditional Use or  
23 Not Permitted in this Section 825 of this Code or any other Section governing an individual  
24 DTR District. Additional requirements and conditions may be placed on particular uses as  
25 provided pursuant to Section 803.5 and other applicable provisions of this Code.



1 (B) **Conditional Uses.** Conditional uses are permitted in a Downtown  
2 Residential District, when authorized by the Planning Commission; whether a use is  
3 conditional in a given district is indicated in the Section of this Code governing the individual  
4 DTR District. Conditional ~~u~~Uses are subject to the applicable provisions set forth in Sections  
5 178, 179, 263.11, 303, ~~316~~, and 803.5 of this Code.

6 (i) Notwithstanding any other provision of this Article, a change  
7 in use or demolition of a movie theater use, as set forth in Section 890.64, shall require  
8 ~~e~~Conditional ~~u~~Use authorization. This Section shall not authorize a change in use if the new  
9 use or uses are otherwise prohibited.

10 \* \* \* \*

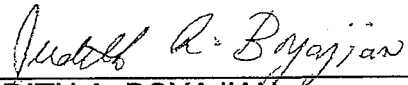
11  
12 Section 5. Effective Date. This ordinance shall become effective 30 days after  
13 enactment, or the effective date of the companion ordinance in Board of Supervisors File  
14 No. 170204 that deletes the current Zoning Control Tables and other provisions of Article 7 of  
15 the Planning Code, whichever is later. Enactment occurs when the Mayor signs the ordinance,  
16 the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of  
17 receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. If the  
18 companion ordinance is vetoed by the Mayor and the Board of Supervisors does not override  
19 that veto, then this ordinance shall expire immediately by operation of law and be of no force.  
20

21 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
25

1 additions, and Board amendment deletions in accordance with the "Note" that appears under  
2 the official title of the ordinance.

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

By:   
JUDITH A. BOYAJIAN  
Deputy City Attorney  
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**REVISED LEGISLATIVE DIGEST**

(6/13/2017, Amended in Board)

[Planning Code - Article 7 Reorganization; Technical and Other Amendments]

**Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merger of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code Section 302.**

Existing Law

Article 7 establishes a number of general and named Neighborhood Commercial (NC) and Neighborhood Commercial Transit (NCT) Districts as well as some Subdistricts and Restricted Use Districts. Land use controls, development standards, and density controls for each District are outlined in a Zoning Control Table. Specific uses are defined in Sections 790.2 through 790.142. Other sections of the Planning Code that are applicable to Neighborhood Commercial Districts are listed in Section 799.

Amendments to Current Law

This ordinance is one of two interrelated ordinances that reorganize and update Article 7 of the Planning Code. Because the two ordinances are interrelated, the amendments made by this ordinance will not go into effect unless the companion ordinance is also enacted and in effect.

This ordinance reorganizes Article 7, revises all the Article 7 Zoning Control Tables to match the format of the Tables in Article 2, and makes technical and substantive amendments to applicable sections in other Articles to update, correct, clarify, and simplify language. The companion ordinance deletes all the current Article 7 zoning control tables, the definitions that

were added to Section 102 in the Article 2 reorganization legislation but temporarily left in Article 7, and other text that became outdated with the enactment of the Article 2 reorganization legislation.

All the proposed amendments – both technical and substantive -- are detailed and explained in the Executive Summary that was prepared for the Planning Commission hearing by Department staff, which will be was transmitted to the Board as part of the legislative package that was introduced. The Executive Summary describes the Main Amendments, the Definition Changes, the specific amendments to the Sunset Neighborhood Commercial District (NCD), the co-terminous North Beach NCD and North Beach Special Use District, and an amendment to the Broadway NCD.

This Amendment of the Whole Ordinance also amends the list of uses that are considered Formula Retail in order to preserve existing controls. Rather than listing out the Retail Sales and Service uses that are subject to Formula Retail, the Planning Code would now state that all Retail Sales and Service Uses are subject to Formula Retail Controls, except for a specific list of uses. This maintains the current assumption that unidentified Retail Sales and Service Uses, ones which have not been defined yet or thought of, are subject to Formula Retail controls. The existing list of uses subject to Formula Retail controls for Article 8 districts remains, but will be deleted once Article 8 goes through the reorganization process.

#### Background Information

In 2013, the Planning Department initiated a Code Reorganization Project. The goal of the Project is to restructure the Planning Code so that it is easier to read, understand, and use. Phase 1 consolidated all use definitions and definitions that are used universally throughout the Code into Section 102 of the Code. It also reorganized Article 2 by creating zoning control tables for Residential, Downtown, and Industrial zoning districts that are similar to those in Article 7 but modified to reduce their length and complexity and to be less confusing to the public. The Planning Commission unanimously recommended Phase 1 of the Project to the Board in October of 2014, and it was enacted in February, 2015 by Ordinance No. 022-15.

This ordinance together with its companion ordinance constitute Phase 2 of the Code Reorganization Project. It reorganizes Article 7 so that the NC and NCT Districts use the consolidated definitions in Section 102 created in Phase 1, updates the format of the zoning control tables to match those in Article 2, and makes technical and other amendments to various Code sections. The Project's final phase will reorganize Article 8.

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BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

March 7, 2017

File No. 170203

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On February 28, 2017, Mayor Lee introduced the following proposed legislation:

**File No. 170203**

**Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts ("NCDs"); enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah NCDs; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach NCD; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and "SUD"; create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By: *Aisa Somera*  
Aisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

Attachment

- c: Joy Navarrete, Environmental Planning
- Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15060(c) and 15378 because it does not result in a physical change in the environment.

*Jeanie Poling 3/9/17*



# SAN FRANCISCO PLANNING DEPARTMENT

February 28, 2017

Ms. Angela Calvillo, Clerk  
Honorable Mayor Lee  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

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415.558.6409

Planning  
Information:  
415.558.6377

Re: **Transmittal of Planning Department Case Number 2014-001965PCA**  
**Article 7: Phase 2 of the Planning Code Reorganization Project**  
**Board File No. TBD**  
**Planning Commission Recommendation: Approval with Modification**

Dear Ms. Calvillo and Mayor Lee

On February 2, 2017, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance, initiated by the Planning Commission, that would amend the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; and create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD amend Planning Code Section 249.62. At the hearing the Planning Commission recommended approval with modification.

The Commission's proposed modifications were as follows:

- Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Our office understands that Mayor Lee will be introducing this Ordinance at the Board and taking over sponsorship.

[www.sfplanning.org](http://www.sfplanning.org)

Transmittal Materials

CASE NO. 2014-001965PCA  
Article 7: Phase 2 of the Planning Code Reorganization Project

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



Aaron D. Starr  
Manager of Legislative Affairs

cc:

Judith Boyajian, Deputy City Attorney  
Mawuli Tugbenyoh, Liaison to the Board of Supervisors, Office of Mayor Edwin Lee  
Shahde Tavakoli, Legislative Aide, Office of Mayor Edwin M. Lee  
Andrea Ausberry, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution  
Planning Department Executive Summary





# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 19847 HEARING DATE FEBRUARY 2, 2017

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Planning  
Information:  
415.558.6377

*Project Name:* Article 7: Phase 2 of the Planning Code Reorganization.  
*Case Number:* 2014-001965PCA [Board File No. TBD]  
*Initiated by:* Planning Department  
*Staff Contact:* Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE WITH MODIFICATIONS THAT AMENDS THE PLANNING CODE TO REORGANIZE ARTICLE 7 AND TO UPDATE, CORRECT, CLARIFY, AND SIMPLIFY CODE LANGUAGE IN OTHER PLANNING CODE SECTIONS; REQUIRING CONDITIONAL USE AUTHORIZATION FOR BARS, AND LIQUOR STORES ON THE FIRST FLOOR IN THE NORIEGA, IRVING, TARAVAL, AND JUDAH NEIGHBORHOOD COMMERCIAL DISTRICTS; ENACTING PERMANENT CONTROLS REQUIRING CONDITIONAL USE AUTHORIZATION FOR MEDICAL CANNABIS DISPENSARIES IN THE NORIEGA, IRVING, TARAVAL, AND JUDAH NEIGHBORHOOD COMMERCIAL DISTRICTS; REQUIRE CONDITIONAL USE AUTHORIZATION FOR PERSONAL SERVICES ON THE SECOND FLOOR IN THE NORIEGA, IRVING, TARAVAL, AND JUDAH NEIGHBORHOOD COMMERCIAL DISTRICTS; PROHIBIT KENNELS, LARGE SCALE URBAN AGRICULTURE, BUSINESS HOURS FROM 2 A.M. TO 6 A.M., AND THE DEMOLITION OR MERGE OF UNITS ON THE SECOND STORY AND ABOVE IN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT; PRESERVE THE SMALL STOREFRONTS, STREET FRONTAGE AND PROHIBIT VEHICULAR ACCESS ON CERTAIN STREETS WITHIN THE NORTH BEACH NCD AND SUD; CREATE THE DEFINITION OF SPECIAL FOOD MANUFACTURING AND AMENDING THE EATING AND DRINKING CONTROLS FOR THE NORTH BEACH SUD; REQUIRING CONDITIONAL USE FOR BARS AND PRINCIPALLY PERMITTING RESTAURANTS IN THE BROADWAY NCD; AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1, AND ADOPTING FINDINGS OF PUBLIC CONVENIENCE, NECESSITY, AND WELFARE UNDER PLANNING CODE SECTION 302.

WHEREAS, On February 12, 2015, the Board of Supervisors Passed Phase One of the Planning Reorganization project under Board File 141253 and Enactment Number 022-15, which focused on consolidating definitions into one section of the Planning Code and reorganizing Article 2 of the Planning Code so that it uses zoning control tables; and

WHEREAS, The Code Reorganization Project seeks to restructure the Planning Code so that it's easier to read, understand, and use; and

WHEREAS, the proposed amendments are contained in two ordinances, which are adopted together under this single Resolution; and

WHEREAS, Phase Two and Phase Three were discussed as part of the overall Planning Code Reorganization project effort during the adoption process of Phase One; and

WHEREAS, Phase Two of the Code Reorganization Project will remove duplicative definitions in the Planning Code bringing more consistency to how land use is regulated in San Francisco; and

WHEREAS, Phase Two will also reformat the Neighborhood Commercial District zoning control tables in Article 7 of the Planning Code to make them consistent with the zoning control tables in Article 2; and

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to initiate of the proposed Ordinance on June 30, 2016; and,

WHEREAS, The Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider adoption of the proposed Ordinance on February 2, 2017; and,

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors approve with modifications the proposed ordinance.

The Commission's Proposed Modifications are as follows:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Commission finds that at over 1336 pages and including 111 zoning districts, the Planning Code is a large and complicated document. This complexity, some of which is necessary, can make it difficult to effectively implement and interpret the City's land use regulations. It also makes it difficult for members of the community to effectively engage in the City's development process.

2. The Commission strongly believes that consolidating use definitions and making the Planning Code easier to use by creating zoning control tables for all zoning districts will help mitigate these issues.
3. The Commission further finds that standardizing how zoning districts are organized will aid future community planning efforts by providing a clear framework for existing land use regulations and use definitions.
4. The Commission finds that while this Ordinance is extremely large, it is not seeking to make any substantive policy changes to the City's land use controls that have not already been reviewed and voted on by this Commission.
5. The Commission finds that Staff has thoroughly reviewed and vetted the proposed Ordinance, and has held or attended several community meetings to seek input and answer questions on the proposed changes. This effort has created a more complete and accurate Ordinance; however as with any large undertaking small errors and typos are inevitable. As such, the Commission has included in its recommendation a provision that allows Planning Staff to continue to refine the proposed Ordinance.
6. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

### Housing element

#### OBJECTIVE 10

ENSURE A STREAMLINED, YET THOROUGH, AND TRANSPARENT DECISION-MAKING PROCESS.

#### Policy 10.1

Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.

*The proposed Ordinance will bring more consistency to the Planning Code by consolidating uses into one section of the Code. This will ensure that each zoning district references one definition for a particular use. The proposed Ordinance will also reorganize Article 7 so that the zoning controls for each district are consistent with the other zoning control tables in the Planning Code. Both of these improvements will help bring certainty to the development process by providing clear community parameters for development and consistent application of these regulations.*

### COMMERCE AND INDUSTRY ELEMENT

#### OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

**Policy 1.2**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

*The proposed Ordinance organizes the commercial and industrial operating and location restrictions into one easily referenced section of the planning code helping to ensure that such standards are enforced and understood.*

**Policy 1.3**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed ordinance will preserve appropriate land use controls for commercially zoned property.*

7. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

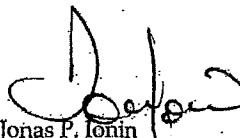
8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

8. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 2, 2017.

  
Jonas P. Ionin  
Commission Secretary

AYES: Fong, Hillis, Johnson, Köppel,

NOES: Melgar, Moore

ABSENT: Richards

ADOPTED: February 2, 2017



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Planning Code Text Amendment HEARING DATE: FEBRUARY 2, 2017 EXPIRATION DATE: N/A

Project Name: Article 7: Phase 2 of the Planning Code Reorganization  
Case Number: 2014-001965PCA [Board File No. TBD]  
Initiated by: Planning Department  
Staff Contact: Aaron Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362  
Recommendation: **Recommend Approval with Modifications**

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### PLANNING CODE AMENDMENT

Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; and requiring Conditional Use for Bars and Principally Permitting Restaurants in the Broadway NCD.

#### The Way It Is Now:

##### Main Amendments

1. Article 7 of the Planning Code contains land use controls, development standards, and density controls for the City's Neighborhood Commercial Districts (NCD). These controls are outlined in zoning control tables.
2. All uses allowed in NCDs are defined in Section 790 of the Planning Code.
3. The Conditional Use (CU) mailed notice requirement is 20 days for NCD and Mixed Use Districts (MUD) and 10 days for all other zoning districts. The General Plan, and Variance mailing requirement is 10 days for all zoning districts.
4. Section 316 contains CU procedures and findings for NCDs and MUDs, which are essentially the same as the controls in Section 306 of the Planning Code.

[www.sfplanning.org](http://www.sfplanning.org)

#### Definition Changes

5. Other Entertainment; Public Use; Other Institution, Larger; Other Institution Small; Business or Professional Services; and Other Retail Sales and Service are all use definitions that group together several other uses. These "sub-uses" are regulated separately in zoning districts found in Article 2.
6. Massage Establishment, as defined in Section 790.60, includes the following uses defined in Section 102: Massage Establishment and Foot/Chair Massage. Per the definition, Foot and Chair Massage is allowed without a CU if it is visible to the public.
7. Personal Services, as defined in Section 790.116, includes the following uses defined in Section 102: Personal Service and Instructional Services.
8. Takeout Food Use is defined in Section 102 as an individual Retail Sales and Service Use; it is also defined in Section 790.122 as an individual use.
9. Mobile Food Facilities are currently listed as a separate use in the Article 2 zoning control tables, and defined as a distinct and separate use in Section 102 of the Planning Code.
10. Use Characteristic is a term used in the Article 2 zoning control tables but not currently defined in the Planning Code.
11. Accessory Uses are defined in Section 204 of the Planning Code.

#### Sunset NCD Amendments

12. Bars and Liquor Stores are principally permitted on the first floor in the Noriega, Irving, Taraval, and Judah NCDs;
13. An interim control requires CU authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs.
14. Personal Services are principally permitted on the second floor in the Noriega, Irving, Taraval, and Judah NCDs.

#### North Beach NCD and SUD<sup>1</sup> Amendments

15. Ground Floor Commercial is not required in the North Beach NCD and SUD per Section 145.4.
16. There are no limits on lot mergers within the North Beach NCD and SUD per Section 121.7.
17. There are no limits on storefront consolidation in the North Beach NCD and SUD.
18. Per Section 155, vehicular access (driveway) is prohibited on Columbus between Washington and North Point Streets, but permitted on Grant Avenue, and Green Street.
19. Large Scale Agriculture and Kennels require CU authorization within the North Beach NCD.
20. Within the North Beach NCD and SUD, Business Hours may be extended from 2:00 AM to 6:00 AM with CU authorization.

---

<sup>1</sup> The North Beach NCD and SUD are coterminous.

21. Within the North Beach NCD and SUD, Restaurants are exempt from the 18-month abandonment period per Section 186.1. Instead, Restaurants are considered abandoned after three years, which is the standard throughout the Code.
22. Within the North Beach NCD and SUD, Movie Theaters are exempt from the non-residential use size limits in Section 121.2.
23. Limited-Restaurants are permitted as an accessory use in all NCDs, including the North Beach NCD and SUD.
24. Bakeries and other specialty food manufacturing businesses are considered Limited Restaurants in the North Beach NCD and SUD and require CU authorization.
25. Eating and Drinking uses in the North Beach SUD are permitted with CU authorization only if they do not take over a space previously occupied by a Basic Neighborhood Sale or Service use, as defined in Planning Code Section 780.3.

#### Broadway NCD Amendments

26. Within the Broadway NCD, Bars are principally permitted and Restaurants require CU authorization.

#### The Way It Would Be:

#### Main Amendments

1. Article 7 of the Planning Code will still contain land use controls, development standards, and density controls for the City's NCDs; however the proposed ordinance would revise the zoning control tables to match the tables in Article 2.
2. Use definitions in Section 790 of the Planning Code would be deleted. NCDs would use the standardized use definitions in Section 102.
3. The CU, General Plan, and Variance mailing noticing requirement would be 20 days for all zoning districts.
4. Section 316 would be deleted. Conditional Use procedures and findings for CUs in NCDs and MUDs would be found in Section 306 of the Planning Code along with all other zoning districts.

#### Definition Changes

5. The following use groupings would be split-up into more discrete uses so that they can be regulated separately. The control for the use would be the same as the control for the use grouping. For example, if Other Entertainment requires Conditional Use authorization, then General Entertainment and Nighttime Entertainment would also require a Conditional Use authorization.
  - a. **Other Entertainment:** General Entertainment, and Nighttime Entertainment.
  - b. **Public Use:** Public Facilities, Open Recreation Area, Passive Outdoor Recreation, Community Recycling Center, Internet Service Exchange, Public Transportation Facility, Utility Instillation, and Wireless Telecommunications Services Facility.



- c. **Other Institution, Small:** Childcare Facilities with 12 or fewer children and Residential Care Facilities with six or fewer persons (Please note that the numerical distinctions would be maintained as they relate to how the use is regulated, but there would only be one definition for these uses in Section 102).
  - d. **Other Institutions, Large:** Child Care Facilities with 13 or more children, Residential Care Facilities with seven or more people, Community Facilities, Private Community Facilities, Job Training, Post-Secondary Educational Institution, School, Religious Institution, Social Service or Philanthropic Facility, and Trade School.
  - e. **Other Retail Sales and Service:** General Retail Sales & Service, General Grocery, Specialty Grocery, Cat Boarding, Tourist Oriented Gift Store, Jewelry Store, Non-Auto Vehicle Sales/Rental, and Pharmacy.
  - f. **Business or Professional Services:** Retail Professional Service, Design Professional, and Trade Office.
6. Massage Establishment and Foot/Chair Massage will be regulated separately in the zoning control tables in Article 7. Currently, Foot and Chair Massage is allowed without a CU if it is visible to the public; therefore if a Massage use is permitted with a CU in that zoning district, Foot and Chair massage would be principally permitted on the ground floor and require CU on the upper floors. If Massage use is not permitted in that district, Foot and Chair Massage would not be permitted.
  7. Personal Services and Instructional Service will be regulated separately in the zoning control tables in Article 7; however, they will both have the same controls that Personal Service currently has in that district.
  8. Takeout Food Use would be removed from the Planning Code as a separately defined use.
  9. The definition for Mobile Food Facilities would be amended so that it is no longer a within the Retail Sales and Service use category. The new definition would indicate how the use is regulated (either as a temporary use or a permanent restaurant use).
  10. A definition for "Use Characteristic" would be added to Section 102.
  11. The definition of Accessory Uses in Section 204 would be moved to Section 102.

#### Sunset NCD Amendments

12. Bars and Liquor Stores would require CU authorization on the first floor in the Noriega, Irving, Taraval, and Judah NCDs;
13. The existing interim control that requires CU authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs would become permanent.
14. Personal Services would require CU authorization to establish on the second floor in the Noriega, Irving, Taraval, and Judah NCDs.

#### North Beach NCD and SUD

15. Ground Floor Commercial would be required in the North Beach NCD and SUD per Section 145.4; however this requirement could be amended with CU authorization.
16. Per Section 121.7, lot mergers within the North Beach NCD and SUD of over 25 feet in width would require CU authorization or a waiver by the Zoning Administrator per Section 121.7.

17. Storefront mergers would be prohibited within in the North Beach NCD and SUD.
18. In addition to the prohibitions on vehicular access on Columbus Avenue, vehicular access would also be prohibited on Grant Avenue between Columbus Avenue and Filbert Street, and Green Street between Grant Avenue and Columbus/Stockton Streets.
19. Large Scale Agriculture and Kennels would be prohibited within the North Beach NCD.
20. Business Hours between 2:00 AM to 6:00 AM would be prohibited.
21. Within the North Beach NCD, Restaurants would be subject to the 18-month abandonment period per Section 186.1.
22. Within the North Beach NCD, Movie Theaters would no longer be exempt from the non-residential use size limits in Section 121.2.
23. Limited-Restaurants would no longer be permitted as an Accessory Use in the North Beach NCD.
24. The definitions "Specialty Food Manufacturing" would be added to the North Beach SUD and require CU for approval within the SUD. This use would cover bakeries and other such businesses.
25. The North Beach SUD would be amended to permit Eating and Drinking uses with CU authorization on the ground floor only if the following is met: A Bar may occupy a space that is currently or last legally occupied by a Bar; a Restaurant may occupy a space that is currently or was last legally occupied by a Restaurant or Bar; and a Limited Restaurant may occupy a space that is currently or was last legally occupied by a Limited Restaurant, Restaurant or Bar.
26. Within the Broadway NCD, Bars would require CU authorization and Restaurants would be principally permitted.

## **BACKGROUND**

### **Planning Code's Evolution**

In 1921 The City established its first citywide zoning district system, later titled "a City Planning Code." The Code consisted of 14 maps, which divided every parcel into one of six permitted categories or districts: First Residential, Second Residential, Commercial, Light Industrial, Heavy Industrial, and Unrestricted. There were literally no constraints placed on the use of land in the "Unrestricted" district. Over time, the Planning Code grew in complexity, and by 1974 it consisted of 134 pages and 20 zoning Districts. By 1996, the Code had gone through a tremendous amount of change including the establishment of RH, RM, RC, Downtown, Chinatown, South of Market, and Mission Bay Districts. It included two volumes and contained 443 pages excluding the index, and temporary zoning controls. Since 1996 PDR, RTO, and Easter Neighborhood's MUDs have been added to the Planning Code. Today, the Code contains over 1,300 pages and 111 zoning districts.

With each new addition came a different way of promulgating zoning information. By the 1940s, the zoning district's use controls were shown in a table with the zoning districts arranged at the top of the table and the uses, including the definition of the use, arranged on the side of the table. Inside the chart contained the control, indicating whether the use was permitted, required conditional use or was not permitted. When the NCDs were added in the mid-1980s, zoning control tables were introduced to the Code. This new way of organization information moved the definitions out of the tables and into a separate section (Section 790), and introduced vertical zoning, which controlled the use by floor. It also

gave each district its own chart that included development requirements like height and bulk restrictions, parking requirements, hours of operation, etc.

When Chinatown and the South of Market Districts were added to the Code they followed a similar format as Article 7, using zoning control tables and adding another set of use definitions (Section 890). Many of these definitions duplicated the use definitions in Article 7. Some exceptions include Chinatown specific definitions like Jewelry Store, and Tourist Oriented Gift-Store, and in the South of Market Districts Design Professional, Laboratory and Life Sciences. Article 9, which controls the land uses in Mission Bay, also has its own set of definitions. At the start of this project there were three separate sets of use definitions in the Code (Section 2, 7, and 8) one set of general definitions in Article 1, fee specific definitions in Article 4, sign specific definitions in Article 6, and Mission Bay specific definitions in Article 9. By the end of the project there will only be one set of use definitions and general definitions, located in Section 102. Article specific definitions will still live in their respective sections.

#### **Overall Goals and Phasing**

Initiated in 2013, the Code Reorganization Project seeks to restructure the Planning Code so that it's easier to read, understand, and use. This Ordinance includes Phase 2 of the Planning Code Reorganization project and focuses on Article 7 of the Planning Code. Phase 1 was adopted by the Board of Supervisor on February 10, 2016 (Board File 141253), and signed by the Mayor on February 20, 2015 (Enactment Number 022-15).

Phase 1 of the Code Reorganization Project consolidated all use definitions into Section 102 of the Code. It also reorganized Article 2, which includes Residential (RH, RM, and RC), Downtown (C-3), and Industrial (PDR, and M) zoning districts, by creating zoning control tables similar to the ones already used in our NCDs. The benefit to zoning control tables is that they allow the users to obtain building standards and use controls for a particular zoning district in one easy to use chart. The Planning Commission unanimously recommended approval of the Phase 1, the Article 2 Reorganization Ordinance, in October of 2014.

Having successfully completed Phase 1 with significant community support, the Department moved on to Phase 2. This phase of the project focuses on Article 7 of the Planning Code, which contains controls for NCDs. Phase 2 deletes the definitions in Article 7 (Planning Code Section 790) so that NCDs use the same consolidated definitions in Section 102 created in Phase 1, and updates the format of the Zoning Control Tables. The final phase, Phase 3, will do the same thing for Article 8 of the Planning Code (Mixed Use Districts), and will be initiated once Article 7 is complete.

## **ISSUES AND CONSIDERATIONS**

### **Two Ordinances, One Goal**

The proposed "ordinance" is split into two separate ordinances. One ordinance deletes all of the Article 7 zoning control tables and Article 7 use definitions in Section 790. The other ordinance adds the new zoning control tables back and makes other proposed changes. This was done to make the changes easier to identify and understand, and to make the ordinance more manageable. It also cuts down on the number of pages that the public has to print out.

### Use Consolidation and Changes

Phase 1 of the Code Reorganization project consolidated all use definitions and definitions that are used universally throughout the Planning Code into Section 102. Repeating use definitions that apply to all zoning districts in multiple places needlessly complicated the Planning Code, especially when many of those definitions are identical or overlap. At the end of this project there will no longer be use definitions in Articles 2, 7, or 8. Instead all zoning districts will use the definitions in Section 102.

In consolidating the definitions into Section 102, Staff was careful to preserve all existing use definitions so that existing land use controls could be preserved. To achieve this, use groupings (definitions that include multiple discrete uses) were broken up into their more discrete uses (see items 5-7 in "The Way It Is/Will Be" section). For example, in Article 2 Institutional Uses like Hospitals, Schools, and Social Services are all regulated and defined separately; however, in Articles 7 and 8 these uses are combined into a definition called Other Large Institution. Conversely Articles 7 and 8 are very specific when it comes to Retail Sales and Services Uses, whereas Article 2 made few distinctions in this category. Under the new Section 102 definition the Use Category Retail Sales and Service includes 33 different uses, the vast majority of which came from Articles 7 and 8. The new consolidated set of use definitions ensure that existing finely grained controls in all districts can be maintained, while reducing redundancy in the Code by eliminating multiple sets of definitions.

The following Section 790 definitions have been broken up into their more discrete uses in Section 102:

- **Public Use:** Public Facilities, Open Recreation Area, Passive Outdoor Recreation, Community Recycling Center, Internet Service Exchange, Public Transportation Facility, Utility Installation, and Wireless Telecommunications Services Facility.
- **Other Institution, Small:** Childcare Facilities with 12 or fewer children and Residential Care Facilities with six or fewer persons.
- **Other Institutions, Large:** Child Care Facilities with 13 or more children, Residential Care Facilities with seven or more people, Community Facilities, Private Community Facilities, Job Training, Post-Secondary Educational Institution, School, Religious Institution, Social Service or Philanthropic Facility, and Trade School.
- **Other Retail Sales and Service:** General Retail Sales & Service, General Grocery, Specialty Grocery, Cat Boarding, Tourist Oriented Gift Store, Jewelry Store, Non-Auto Vehicle Sales/Rental, and Pharmacy.
- **Massage Establishment:** Massage Establishment and Foot/Chair Massage
- **Personal Services:** Personal Service and Instructional Services.
- **Business or Professional Services:** Retail Professional Service, Design Professional, and Trade Office.
- **Other Entertainment:** General Entertainment, and Nighttime Entertainment.

### Organizing Structure

The organizational system that this ordinance uses was developed as part of Phase 1 of the Code Reorganization Project. As stated earlier, one of the goals of this project is to bring consistency to the Planning Code. This consistency extends not only to the use definitions, but also to how those controls are promulgated. The organization system is based on eight defined use categories. This system allows

for all uses to be accounted for in each zoning district without having to list each use in every chart. Each use definition starts by indicating which use category it belongs to, and each use category is defined in Section 102 and includes all the uses that are within that category.

All of the Planning Code's 116 uses definitions have been placed in one of the following eight use categories:

1. Agriculture
2. Industrial
3. Institutional: Education, Healthcare and Community
4. Sales and Service: Retail, Non-Retail
5. Residential
6. Entertainment, Arts and Recreation: Non-Commercial, Retail
7. Automotive: Non-Retail, Retail
8. Utility and Infrastructure

These categories then inform how the zoning control tables are organized. Each use category has its own section in the table in which the category is listed first, followed by any use in that category that has a different land use control. Below is an example of how this works in the zoning control tables (the "N" indicates "Not Listed Below"):

Controls by Story				
Industrial Use Category	Section	1st	2nd	3rd
<b>Industrial Uses</b>	§§102, 202.2(d)	NP	NP	NP
Institutional Use Category				
<b>Institutional Uses*</b>	§102	P	C	C
Child Care Facility	§102	P	P	P
Hospital	§102	NP	NP	NP
Medical Cannabis Dispensary	§§102, 202.2(e)	DR	NP	NP
Philanthropic Admin. Services	§102	NP	NP	NP
Public Facilities	§102	C	C	C
Residential Care Facility	§102	P	P	P

As shown in the table above, instead of listing all 21 Industrial Uses in the zoning control table, the chart only lists the Industrial Use category, and then indicates that the uses under this category are NP (not permitted). Under Institutional Uses, instead of listing all 14 different Institutional Uses, the chart only lists those uses that have controls different from the overall use category. This organizational system helps reduce the length and complexity of the tables. If the reader wants to know what uses are included in the category, they can look it up in Section 102. Conversely, if someone wants to know what category a use is in they can look at the definition of the use in Section 102.

This system also allows every use definition to be accounted for in each district. Currently, in Articles 7 and 8, if the definition is not listed it is not permitted with some exceptions. Staff has found that omitting the use from the table makes the Code vague, especially for members of the public who are not aware of

the rule. Also some charts list uses that others don't, only adding to the confusion. It also requires the Zoning Administrator to make interpretations about some missing uses. For example, Kennels are not listed in the Article 7 charts, but Animal Hospitals are listed. Because the question came up with a proposed project, the Zoning Administrator made an interpretation that Kennels are regulated like Animal Hospitals in NCDs. Accounting for every use in the Code in all zoning districts will help reduce the need to Zoning Administrator interpretations and make the Code clearer for users.

#### **Deletion of Section 316 and the 20-Day Notice**

Planning Code Section 316 outlines the procedures for CU authorization in NCDs, and MUDs. The section is not substantially different than Section 306, which outlines the CU procedures for all other zoning districts in the City. In fact, in several instances the reader is directed back to Section 306. The one significant difference is the 20-day mailed notice required for CU applications in NCDs. In all other districts this mailed notice is required 10 days prior to the hearing. The Department is proposing to maintain the 20-day noticing period and use it for all mailed CU, General Plan, and Variance notices in all zoning districts. Further, other requirements for posted notices and newspaper notices are already 20 days in all zoning districts. This change will help standardize the noticing requirements in the Planning Code.

#### **Take Out Food Amendments**

Take-Out food definition was created when the NCDs were added to the Code in order to clarify what it means to have an accessory takeout food use. It is also a holdover from the eating and drinking uses that existed prior to the Restaurant Rationalization Ordinance in 2011 (Board File 120084). This use was categorized as Retail Sales and Service use as part of Phase 1 of the Planning Code Reorganization project. The activities included in the Take-Out Food use are covered under the Limited Restaurant definition. With Limited Restaurants you can either serve food for on-site or off-site consumption and no seating is required; therefore, as a standalone use Take-Out Food is no longer needed. Further, the definitions for Restaurant, Grocery and Specialty Grocery have all been amended to clarify that a take-out food activity is permitted with these use types. Given that the definition is redundant and no longer needed, Staff has decided to remove it from the Planning Code as part of this ordinance. This change will not impact how we regulate take-out food in the Planning Code, but will remove a redundant use.

#### **Mobile Food Facility Definition Changes**

Mobile Food Facilities is a use that is particular to the Public Works Code, which regulates this use within the public right-of-way. It only comes under the Planning Departments purview when it is outside of the public right-of-way. In those instances, if the use is temporary it is regulated as an intermittent temporary use in Planning Code Section 204.5. When it is not an intermittent temporary use per Section 204.5 it is then considered either a Limited-Restaurant or Restaurant. Therefore, the Department is amending the definition to remove it from the list of Retail Sales and Service use category so that it doesn't show up in the zoning control tables as a separate use. The definitions is also being amended to say that Mobile Food Facilities are either temporary uses, depending on how long they intend to operate, or permanent uses regulated as either Limited Restaurants or Restaurants. How this activity is regulated will not change.

#### Changes Requested by Supervisors

The proposed ordinance does include some substantive changes, most which were requested by Supervisors Tang and Peskin. During the drafting of this ordinance, the Planning Department was in discussions with Supervisor Tang's office on amendments that she wanted to make to the NCDs within her District. Staff felt that it was possible to include these changes in the proposed Article 7 reorganization. After initiation, at Supervisor Peskin's request, Staff worked with representatives from the North Beach neighborhood – Kathleen Dooley and Nancy Shanahan - on changes that they wanted to see in the North Beach and Broadway NCDs. The items listed below are supported by the Planning Department and included in the proposed ordinance; however, like proposed changes to the Planning Code initiated by a Supervisor's office, the Department assumes that the Supervisors have done their community outreach regarding the proposed changes.

#### Sunset Neighborhood Commercial Districts

1. **Make permanent the interim controls that require CU authorization for Medical Cannabis Dispensaries in the Sunset NCDs.** The CU requirement was inadvertently taken out as part of the Article 2 Reorganization. As a stop gap measure, the Supervisor passed interim controls that put them back. The changes in this ordinance would make them permanent.
2. **Require CU for Bars and Liquor Stores on the ground floor.** These uses are currently principally permitted in these districts; however, these uses typically require a CU authorization in most NCDs.
3. **Require CU approval for Personal Service uses on the ground floor and principally permit Instructional Services on the second floor.** These two uses were separated as part of the Phase 1 of the Code Reorganization project with the intention of regulating them separately in the Sunset NC Districts. The purpose of regulating them separately is to reduce the possibility of Personal Service uses located on the second floor from being used as a cover for illicit activities. This is an ongoing issue that the Supervisor has been trying to address in her district.

#### Changes to North Beach NCD and SUD<sup>2</sup> and the Broadway NCD

Staff intentionally reached out to representatives from North Beach early in the process. The North Beach NC District with its coterminous Special Use District (SUD) and complicated list of specific provisions is by far the most complex NCD in the City, and provided the most opportunity for error or oversight. Staff initiated discussion in February of 2016 with representatives from North Beach and since then has had several meetings and numerous phone calls discussing the ordinance. Not all of the requested changes from Supervisor Peskin's office were included in the proposed ordinance. In general, Staff did not include requested changes that extended beyond the boundaries and the North Beach NCD and SUD, or which we felt needed more analysis. The full list of requested changes is attached as Exhibit B.

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<sup>2</sup> The North Beach NCD and North Beach SUD are coterminous. The SUD allows more nuanced controls with regards to eating and drinking uses.

#### Neighborhood Character

1. **Required Ground Floor Commercial.** This change is intended to reinforce the existing character of the neighborhood, which has ground floor commercial and residential units above. Typically, Section 145.4 only requires ground floor uses on certain street of a particular NCD; however, in this case the entire NCD would be required to have the commercial uses that are listed in Table 145.4 and permitted in the District. This requirement could be modified with CU authorization.
2. **Prohibit Storefront Consolidation.** This change is intended to help preserve the fine-grained character of the neighborhood with its small storefronts. This tool is also being used in the proposed Calle 24 SUD to protect that district's unique fine-grained character.
3. **Prohibit vehicular access on Grant Avenue and Green Street.** This tool is utilized in several other neighborhoods to not only reduce pedestrian and traffic conflicts but to maintain an active street frontage. Further, North Beach does not have minimum parking requirements, and is well served by transit eliminating the need for driveway accesses in this District.
4. **Prohibit the loss of dwelling units on upper floors.** The Planning Code already places significant restrictions on the removal of existing housing units; this provision will provide additional protection for existing units in this neighborhood.

#### Use Control Changes

5. **Prohibit Large Scale Agriculture.** This use is unlikely to be located within the district as it applies to agricultural production on plots one acre or larger or on smaller parcels that cannot meet the physical and operational standards for Neighborhood Agriculture. North Beach is one of the City's oldest and densest neighborhoods, and it is unlikely that such a use would be able to locate within the district.
6. **Prohibit Kennels.** Kennel is not separately listed in Article 7; however a Zoning Administrator interpretation allows Kennels through the same method as Animal Hospitals in NCDs. This change will prohibit such a use from being allowed in this district. There are currently no Kennels in North Beach.

#### Other Modifications

7. **Prohibit Business Hours from 2:00 AM to 6:00 AM.** According to Ms. Shanahan and Ms. Dooley, there are no 24 hour businesses in North Beach, and the neighborhood would like to preserve this type of use for the Broadway NCD, which is next to the North Beach NCD. Other NCDs also prohibit business hours between 2:00 AM and 6:00 AM.
8. **Reestablish 18-month period for restaurant abandonment.** This provision was included for a specific business, but is no longer needed. As such, Supervisor Peskin's office has requested that it be removed.
9. **Remove the use size exception for Movie Theaters.** This provision was added so that the Palace Theater, the only movie theater in North Beach, could reopen should it ever be rehabilitated. Since then, the Palace Theater has been demolished and this provision is no longer needed. The demolished theater is expected to be replaced with a mixed-use development.

#### Changes to the North Beach SUD:

10. Add "Specialty Food Manufacturing" definition and require CU for approval in the SUD.



North Beach has long tried to maintain its small-scale food manufactures like bakeries and gelaterias, some of which still maintain a connection to the neighborhood's historic Italian past. Since 2011, bakeries have fallen under the definition of Limited Restaurant; this has allowed bakeries in North Beach to convert to different eating and drinking uses without any public oversight. Adding this definition to the SUD will help preserve existing special food manufactures, and allow new ones to open in the neighborhood.

11. **Revise the SUD's Eating and Drinking controls to address change made under the 2011 Restaurant Ordinance.** The SUD is being amended to allow for more intensive Bar uses to convert to Restaurant Uses, and Restaurant Uses to convert to Limited-Restaurant Uses. Limited-Restaurant uses would not be able to convert to a Restaurant or Bar use. This is essentially what the SUD did prior to the 2011 Restaurant Ordinance; however, with the changes in the definitions the neighborhood was seeing more Limited Restaurants, which was not the original intent of the SUD's controls.

#### Changes to the Broadway NCD

12. **Allow Restaurants as of right and require CU authorization for Bars.** The Broadway NCD currently allows Bars as of right and requires CU authorization for Restaurants. This is exactly the opposite of the controls in many NC Districts primarily because Bars are thought of as a more impactful use than Restaurants. Supervisor Peskin's proposed amendment would reverse these controls to require CU authorization for Bars and allow Restaurants as of right.

#### Changes Since Initiation

Including clerical and other minor corrections and the changes to North Beach and Broadway listed above, staff made the following changes to the proposed ordinance since the Planning Commission initiation. Most of the changes are intended to make sure existing regulations are maintained, or to reconcile the ordinance with change made to the Code since initiation.

1. Reconciled Article 7 Ordinance with recently passed ADU legislation, Planning Code Section 317 changes, Upper Market NCT District Amendments, Sacramento Street NCD amendments, and WTS Facilities Ordinance.
2. Removed "Retail" designation from Art Entertainment and Recreation use category definition: some uses included in the category are not "retail," however those that are still identified as retail in their respective definitions.
3. Added back the controls by floor for Residential Uses to the zoning control tables. This allows all Residential Uses to be accounted for without having to list each one in the table.
4. Removed Arts Activities as permitted use in the NCDs. This is very broad use category and includes uses that are not currently permitted in NCDs. This use can still be permitted in NCDs on a case-by-case basis through the legislative process; however including them now would be a substantive change.
5. Added back Amusement Game Arcade use definition to the list of uses and to the NC District zoning control tables. This was the only use proposed for deletion; however, given the renewed interest in this use, staff has added it back to the Code.
6. Removed the changes to Section 182, 183, and 186.1, Non-conforming Use Controls. The proposed changes did not need to happen in this ordinance and a more thorough review and

reorganization of these sections is required. Staff removed this part of the ordinance based on community concerns.

7. Removed changes to Sections 204 and 204.3 Accessory Use Controls. The proposed changes were intended to consolidate all Accessory Use controls into these two sections of the Code. As a result the Accessory Use controls for Article 7 districts in Section 703.2 were added back into the Code as well. This was done in response to community concerns over unintended consequences, and to simplify the reorganization process. A consolidation could still happen in the future through its own separate ordinance.
8. Added the uses that were previously covered under Other Retail Sales and Service to the list of Formula Retail uses in Section 303.1. These uses include General Grocery, Specialty Grocery, Pharmacy, Jewelry Store, Tourist Oriented Gift Store, and Non-Auto Vehicle Sales or Rental. This change is intended to maintain existing controls on Formula Retail.
9. Modified the definition of Specialty Grocery to prohibit seating. This change is intended to distinguish this use from the Limited Restaurant use.
10. Removed Section 168, Baby Diaper Changing Stations, from the proposed ordinance. This section is proposed for deletions from the Planning Code, as such it does not need to be amended.
11. Added a provision to Section 177, "Legitimization of Certain Massage Establishments" that allows the City Attorney to remove this section once the provision for legitimization expires.
12. Removed a provision for RC District in Table 209.3 that prohibited uses above the second floor. This change is intended to correct an error from Phase 1 of the Code Reorganization project.

#### Outreach and Process to Date

The Department originally presented the Planning Code Reorganization effort to the Planning Commission on June 20, 2013, while it was an informational presentation there was a general consensus from the Commission that the proposal should move forward. After, the Department held a series of community outreach meetings conducted before and after the ordinance was initiated by the Planning Commission. The Department spent the next few months further refining the proposed Ordinance based on feedback from the outreach meetings, comments from the Commission, and further analysis of the Planning Code. When it was finally adopted by the Planning Commission in October of 2013, those that had participated in the outreach meetings expressed their support for the proposed amendments.

For Phase 2, the Department has also done extensive public outreach, all of which have resulted in refinements and corrections to the proposed Ordinance. The following is a list of the Outreach conducted by staff:

- Staff hosted a pre-initiation outreach meeting on June 3, 2016.
- Staff hosted a post-initiation outreach meeting on September 7, 2016. The email invitation also included an offer to meet with individual neighborhood groups.
- Staff held an additional outreach meeting on January 4, 2017 that went over the proposed ordinance as well as the changes that had been made since the ordinance was initiated.
- Staff attended the CFSN membership meeting and present the proposal on July 19, 2016.
- Staff presented the proposal to the Small Business Commission.
- Staff presented the proposal to the Historic Preservation Commission.
- Staff met with representatives from the Pacific Avenue NCD, and the Polk Street NCD.
- Staff presented the proposal to the Mayor's Office of Economic and Workforce Development, Better Neighborhoods Program.

- Staff had several meetings and phone calls with representatives from Supervisor Peskin's office, and the North Beach NCD.
- Staff met with Paul Wermer on September 14, 2016 to discuss monitoring issues related to Article 7 Districts and Upper Fillmore NCD.
- Staff briefed all Land Use Aides on the proposal, and had more in-depth briefings with Supervisors Mar, Tang, and Breed's offices.

## IMPLEMENTATION

The Department has determined that this ordinance will help the Department implement the Planning Code by standardizing the Planning Code, making it easier to use and understand. Overall, Current Planning Staff, Citywide Staff and Enforcement Staff have found the recent changes to Article 2 very helpful in clarifying controls and making the Code much easier to use.

## REQUIRED COMMISSION ACTION

The proposed Resolution is before the Commission so that it may recommend approval or disapproval to initiate the Planning Code amendments.

## RECOMMENDATION

The Department recommends that the Commission recommend approval with modifications of the proposed ordinance with the following recommendations:

1. Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained.

## BASIS FOR RECOMMENDATION

At over 1336 pages and including 111 zoning districts, the Planning Code is a large and complicated document. This complexity, some of which is necessary, can make it difficult to effectively implement and interpret the City's land use regulations. It also makes it difficult for members of the community to effectively engage in the City's development process. The Department strongly believes that consolidating use definitions and making the Planning Code easier to use by creating zoning control tables for all zoning districts will help mitigate these issues. Further, standardizing how zoning districts are organized will aid future community planning efforts by providing a clear framework for existing land use regulations and use definitions.

**Recommendation 1: Staff shall continue to review and refine the proposed ordinance to ensure that the existing land use controls will be maintained.** While staff can continue to make non-substantive changes to the ordinance as it moves through the legislative process, there may be changes that the City Attorney's office considers substantive changes to the ordinance, but which are intended to preserve existing Planning Code controls. Staff respectfully asks that the Commission include this recommendation in their motion in case any such changes need to occur.

## ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code is anticipated to result in no physical impact on the environment. Evaluation under CEQA will be complete prior to the initiation hearing.

**PUBLIC COMMENT**

The Department has received several letters from the CSFN expressing their concerns about the proposed ordinance. Their letters and responses are attached to this report (Exhibit C). In general they are concerned over the length of time they have been given to review the proposed ordinance (now over 7 months), changes that they see as significant and/or substantive, and the quality of the outreach meetings.

Staff also received a letter from Inga Horton (Exhibit C), which is also attached. She would like to see the controls for the Taraval Street Restaurant Sub-district integrated into the zoning control table for the Taraval NCD. She also requests that the names of the districts in the header above the tables be spelled out. Regarding Ms. Horton's first request, this sub-district applies to more than just the Taraval NCD, so it's not easily integrated into the zoning control table beyond what staff has already done; however, in consultation with the District Supervisor, Staff will continue to look at this issue and see if the information can be better integrated into the Taraval Street NCD or if the restaurant sub-district is still needed. Regarding Ms. Horton's second request, staff will continue to refine the ordinance to address her concerns as these are not substantive changes.

Staff also met with Paul Wermer who had concerns about the proposed deletion of the monitoring and reporting requirement for Article 7 in Section 701.2. Staff originally proposed removing this section because it is outdated. Mr. Wermer felt that if it is removed it should be replaced with something that is more up to date and meaningful than a "report to the Board of Supervisors on the Neighborhood Commercial Zoning controls... every twenty-four months..." Mr. Wermer raised some very good ideas on how this provision could be improved upon; however they far exceeded the scope of this ordinance. In recognition of this concern, staff has put back Section 701.2 into the Code until such time as a suitable and more effective replacement can be added.

Staff has worked extensively with Kathleen Dooley and Nancy Shanahan, who are representatives from North Beach and Telegraph Hill. As a result of these conversations, Supervisor Peskin requested the changes listed above to the North Beach NCD and SUD and the Broadway NCD. Ms. Dooley and Shanahan were also extremely helpful in identifying errors and omissions in the draft ordinance, which staff has corrected.

Outstanding concerns of Ms. Dooley and Shanahan include how the new Nighttime Entertainment and General Entertainment definitions replace the old Other Entertainment definition in Section 790.38. In general, The Nighttime Entertainment covers the more impactful uses that were listed under Other Entertainment, such as discos and theater productions where alcohol is served during performances. The General Entertainment definition covers those uses that are less impactful, such as bowling alleys, mini-golf, and skating rinks. Both of these uses are being regulated the same way that Other Entertainment was regulated.

Ms. Dooley and Ms. Shanahan also expressed concern that some of the proposed changes requested by Supervisor Peskin were not included in the proposed ordinance. Staff discusses this issue with them and said that we would include the requested changes in the Staff's case report (see exhibit B) so that the Commission had the opportunity to discuss them; however the changes the Department did not support would not be in the ordinance presented to the Planning Commission.

<b>RECOMMENDATION:</b> Approval with Modifications
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**Executive Summary**  
**Hearing Date: February 2, 2017**

**CASE NO. 2014-001965PCA**  
**Article 7: Code Reorganization**

**Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: List of requested amendments from Supervisor Peskin's Office via Nancy Shanahan and Kathleen Dooley
- Exhibit C: Public Comment Letters
- Exhibit D: Proposed Ordinance



SAN FRANCISCO

**OFFICE OF SMALL BUSINESS**

CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

OFFICE OF SMALL BUSINESS  
REGINA DICK-ENDRIZZI, DIRECTOR

April 14, 2017

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 170203 [Planning Code - Article 7 Reorganization; Technical and Other Amendments]

Small Business Commission Recommendation to the Board of Supervisors: **Approval**

Dear Ms. Calvillo,

On March 27, 2017, the Small Business Commission voted (6-0, 1 absent) to recommend that the Board of Supervisors approve BOS File No. 170203.

The legislation reorganizes portions of the Planning Code to streamline use definitions, create consistency in the format of zoning control tables, and reduce the need for complex cross-referencing. The Commission supports the underlying goal of the reorganization, which is to make the Planning Code easier to read, understand, and use. The reorganization retains unique zoning characteristics of the named Neighborhood Commercial Districts.

The reorganization efforts of Article 7 meets the Small Business Commission's streamlining standards to improve the regulatory environment for small businesses. It will also save the time for the business counselors at the Office of Small Business as they assist businesses with their zoning inquires.

The Small Business Commission received 3 presentations on the proposed changes to Article 7 and the Planning Code: August, 22, 2016, March 13, 2017 and March 27, 2017.

Thank you for considering the Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Regina Dick-Endrizzi". The signature is written in a cursive, flowing style.

Regina Dick-Endrizzi  
Director, Office of Small Business

OFFICE OF SMALL BUSINESS • SMALL BUSINESS COMMISSION  
1 DR. CARLTON B. GOODLETT PLACE, ROOM 110, SAN FRANCISCO, CALIFORNIA 94102-4681  
(415) 554-6408

cc: John Rahaim, Planning Department  
Aaron Starr, Planning Department  
Nicole Elliott, Mayor's Office  
Mawuli Tugbenyoh, Mayor's Office  
Lisa Pagan, Office of Economic and Workforce Development  
Alisa Somera, Land Use & Transportation Committee

170203 & 170204

# San Francisco Planning Code Article 7: Phase 2 of the Planning Code Reorg.



SAN FRANCISCO  
**PLANNING DEPARTMENT**

Land Use and Transportation  
Committee

April 24, 2017



## Background

### The Code Reorganization Project

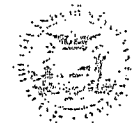
- Initiated in 2013, the “Project” seeks to restructure the Planning Code so that it’s easier to read, understand, and use.
- This is accomplished by bring consistency to the Code through standardizing use definitions and zoning district format.
- Code Reorganization Project is divided into 3 Phases.
- Phase 1 became effective in March 2015, focused on the Zoning Districts in Article 2 and consolidating definitions into Section 102.
- Phase 2 of the Planning Code Reorganization and focuses on Article 7 of the Planning Code, using definitions in Section 102.
- Phase 3 will focus on Article 8



## Background

### Why This Necessary

- Over the past 30+ years, the Planning Code has been amended without consideration given to its overall organization structure.
- The result is that the Code is difficult to use and implement, leading to mistakes, misinformation, and degraded customer service.
- The complexity makes it difficult for members of the public and developers to comprehend basic land use requirements.
- The complexity also creates inequities within the many neighborhoods in the City; between those who have the time and access to expertise and those who don't.



## Background

### How Did We Get Here?

- The Planning Code maintained the same basic structure until 1986 when the NCD controls were added to the Code in Article 7.
- Prior, all development standards and general definitions were located in Article 1, use definitions and use controls were located in Article 2.
- As current regulations proved inadequate to address the needs to the City's NC corridors, Article 7 was added to the code.
- Article 7 was given its own set of use definitions and introduced zoning control tables.
- Article 8 was also given its own set of definitions and its own zoning control table format



## Background

### Where Are We Going?

- From 3 different ways of promulgating zoning information down to 1 consistent format. If you can read one chart, you can read them all.
- Instead of 4 different sets of definitions, there will only be only 1 standardized set located in Section 102.
- All this will be done while still maintain existing land use regulations in every zoning district.



## Proposed Changes

### Main Amendments

- Update Article 7 tables to be consistent with new Article 2 tables, which were adopted under Phase 1
- Delete Use definitions in Section 790; Section 102 definitions will be used for Article 7 districts.
- Deletes Section 316, which covers procedures for CUs in NCDs and MUDs. 316 duplicates controls in Section 306. Section 306 will be updated to include NCDs and MUDs.
- Creates a standard 20-day notice for CU, Variance, Map, and GP Amendments. Currently 10 days in all other Districts.



## Proposed Changes

### Main Amendments (cont.)

- Eliminates Take Out Food Use and Amends Mobile Food Facility definition.
- Divides Article 7 "Use Groupings" into their individual uses. These individual uses will be regulated the same as the use grouping.
- Clarifies the difference between Limited Restaurant and Specialty Grocery by restricting seating in the latter.



## Proposed Changes

### Outer Sunset NCD Amendments

- Require CU for Bars and Liquor Stores on the ground floor in all Sunset NCDs. Currently Principally Permitted.
- Require CU for Personal Service use on the Second floor in Sunset NCDs.
- Reinststitute CU for MCDs in the Outer Sunset by making interim controls permanent.



## Proposed Changes

### North Beach NCD Amendments

- Required Ground Floor Commercial and prohibit storefront consolidation.
- Prohibit vehicular access on Grant Avenue and Green Street
- Prohibit merger or loss of dwelling units on upper floors.
- Prohibit Large Scale Agriculture, Kennels, and 24-hour businesses.
- Reestablish 18-month period for restaurant abandonment
- Remove the use size exception for Movie Theaters





## Proposed Changes

### North Beach SUD Amendments

- Add “Specialty Food Manufacturing” definition to the NBSUD, and require CU for this use.
- Modified Restaurant controls in the SUD in response to changes made in the 2011 Restaurant Ordinance. Allows the same or less intensive eating and drinking use in spaces that previously had eating and drinking uses.

### Broadway NCD Amendments

- Allow Restaurants as of right and require CU authorization for Bars.



## Use Category Structure

- Phase 1 categorized all use definitions into 8 Use Categories: Agriculture, Automotive, Entertainment, Arts and Recreation, Industrial, Institutional, Residential, Sales and Service, Utility and Infrastructure
- Each Use Category is defined in Section 102 and includes a list of uses covered under that category.
  - **Agriculture.** A Use Category that includes Neighborhood Agriculture, Large-Scale Urban Agriculture, and Greenhouse.
- All use definitions also identify which category they are in:
  - **Jewelry Store.** A Retail Sales and Service Use that primarily involves the sale of jewelry...



# Use Category Structure

The tables use these Use Categories to organize the uses in each district.

<i>Entertainment, Arts and Recreation Use Category</i>				
<i>Entertainment, Arts and Recreation Uses*</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Movie Theater</i>	<i>§§102, 202.4</i>	<i>P</i>	<i>NP</i>	<i>NP</i>
<i>Open Recreation Area</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Passive Outdoor Recreation</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Industrial Use Category</i>				
<i>Industrial Uses</i>	<i>§§102, 202.2(d)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Institutional Use Category</i>				
<i>Institutional Uses*</i>	<i>§102</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Child Care Facility</i>	<i>§102</i>	<i>P(2)</i>	<i>P(2)</i>	<i>P(2)</i>
<i>Community Facility</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Community Facility, Private</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Hospital</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Medical Cannabis Dispensary</i>	<i>§§102, 202.2(e)</i>	<i>DR</i>	<i>NP</i>	<i>NP</i>
<i>Philanthropic Admin. Services</i>	<i>§102</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
<i>Residential Care Facility</i>	<i>§102</i>	<i>P(3)</i>	<i>P(3)</i>	<i>P(3)</i>
<i>Social Service or Philanthropic Facility</i>	<i>§102</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Sales and Service Use Category</i>				



## Public Outreach

- 3 general outreach meetings, over 1000 invites sent to our Neighborhood Org. and Legislative Changes Email list.
- Offered to attend any neighborhood group meeting.
- Met with representatives from North Beach, Pacific Avenue, Polk Street, Liberty Hill, Divisadero and Upper Fillmore Street NCDs.
- Attended CSFN, Council of District Merchants meetings.
- Presented to OEWD, and the Historic Preservation Commission.



## Public Outreach

- Continued to brief all land use aides on progress and issues.
- Presented to Small Business Commission and received their endorsement.
- Consistently maintain a project website, which includes information about the outreach meetings, public hearings and links to the ordinance.





**SPUR**

San Francisco | San Jose | Oakland

January 28, 2017

San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**RE: Article 7: Phase 2 of the Planning Code Reorganization  
2014-001965PCA**

Dear Commission President Hillis, Commission Vice President Richards, and Commissioners Fong, Johnson, Koppel, Melgar and Moore:

SPUR thanks the Planning Commission for the opportunity to comment on the proposal to simplify and reorganize Article 7 of the Planning Code.

As an advocate for good city planning and good government, SPUR supports the Code Reorganization Project, a monumental effort to clarify and simplify the Planning Code so that it is easier to understand.

We supported the reorganization of Article 2 addressed in 2014-15, the first of three planned phases to clean up the Code. We now support the modification of Article 7 addressed in this ordinance, and encourage the department to rapidly follow up with Phase 3, modifying Article 8 in the same fashion. The reorganization and consolidation addressed in this project takes a great step toward making it easier for citizens and practitioners to engage with the planning and development process.

We appreciate the effort to eventually have all zoning districts reference a single set of use definitions. The shift from use charts to zoning control tables is a decision that will be more user-friendly overall. We also appreciate the standardization of noticing requirements across use districts.

SPUR applauds the efforts of city staff and Livable City to undertake and champion a complex effort like this. We urge you to move forward with Phase 3 of the Code Reorganization Project as rapidly as possible and perhaps add additional articles to the scope of this work.

Thank you for considering our recommendation. Should you have any questions, please do not hesitate to contact me at 415-644-4884.

Sincerely,

Kristy Wang  
Community Planning Policy Director

Cc: SPUR Board of Directors

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San Francisco, CA 94105  
(415) 781-8726

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76 South First Street  
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1544 Broadway  
Oakland, CA 94612  
(510) 827-1900

spur.org

*Coalition for San Francisco*



February 2, 2017

Planning Commission of the City and County of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103-2479

Re: Article 7 of the Planning Code of the City and County of San Francisco

Dear President Hillis and Planning Commissioners:

This is the fifth in a series of letters which we have sent to Staff and the Commission requesting that the Commission NOT approve the proposed wholesale changes to Article 7 of the Planning Code, for a number of reasons.

A. Planning Staff (herein "Staff"), after continual denial, has finally acknowledged that there are changes which are substantive, and some are universal. We are aware of many changes to the definitions and in at least two cases substantive changes in the related NCD tables.

B. We believe that very few, if any, of the NCD related tables have been reviewed by or at the direction of supervisors of the neighborhoods involved, except in two cases. The tables for NCDs located within Supervisor Tang's District have been changed and to get there, the Staff has spent months with Supervisor Tang's staff in making numerous changes. Also, initiated by Supervisor Peskin, representatives of the North Beach NCD have been speaking with Staff about numerous defensive and other changes to Staff-proposed changes which were billed as "non-substantive" changes," which were anything but that.

The Tang/Peskin changes are neighborhood-specific with a view to keeping neighborhood character. What does that tell us? Well, that a proposed complete Article 7 reorganization exposes to all NCDs to the risks of unintended consequences and makes clear that a "one size fits all" policy does not work.

So far as we know, there is no other Supervisor who has sought changes for his/her District NCDs. Moreover, there are now four new Supervisors who have probably not even heard of the Article 7 changes. And very few NCDs have the experience and knowledge of either the Staff, which helped in the case of Supervisor Tang's District NCDs, or knowledgeable and experienced representatives in the case of the North Beach NCDs. Others have not had that luxury.

C. Staff has advised that if other NCDs want changes, they should be sought through their respective Supervisors, who should introduce separate and specific legislation to make changes. But residents within most NCDs have never reviewed the proposed changes. Why is that? Because they have been led to believe that they are not substantive. Or they have not even heard about them at all since the outreach efforts were inadequate. We can count on

one hand the number of attendees at at least two of the outreach meetings, which advertised "no substantive changes." The risk of unintended impacts on other provisions of the Planning Code could be enormous.

D. It has been extremely difficult to review the most recent changes made since there have been no "redline" versions made available. The various versions are flying thick (750-plus pages) and fast (a January 20, 2017 version followed the version in the Commission's February 2, 2017 "packet") and NEITHER is red marked to another version. Because of the enormity of the overall changes, as we said previously, we just did sampling of the changes appearing in a much earlier version, and cannot even hope to keep up with these. And we know there have been substantive changes made. Further, the January 20 Department Notice suggests that additional changes will be forthcoming in the "coming week."

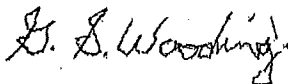
SOLUTION:

If no substantive changes are intended for Article 7 other than those appearing for the NCDs in Tang/Peskin Districts, then introduce new and separate legislation to accomplish that for each of the Tang/Peskin NCDs, and leave Article 7 in place. But have Staff engage each of the other Supervisorial Districts, as it did for the Tang District NCDs, to explain in detail what is going on.

That way all NCDs will have access to technically capable people (the Staff) to address in detail what the tables mean, how they might be changed to address individual NCD needs within a District, so as to cover NCDs in all districts -- not just those in Tang/Peskin Districts.

Thank you.

Respectfully submitted,

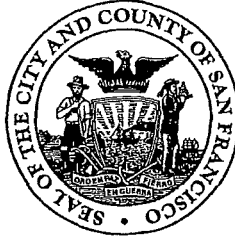


/s/ George Wooding, Midtown Terrace Homeowners Association & President of CSFN  
/s/ Marlayne Morgan, Cathedral Hill Neighbors Association & 1st Vice President of CSFN  
/s/ Rose Hillson, Jordan Park Improvement Association & Delegate to CSFN  
/s/ Paul Webber, Telegraph Hill Dwellers & Delegate to CSFN

cc: Aaron Starr, AnMarie Rodgers, Director John Rahaim, Commissions Secretary Jonas Ionin, President of the Board of Supervisors London Breed, Supervisors: Sandra Fewer, Mark Farrell, Aaron Peskin, Katy Tang, Jane Kim, Norman Yee, Jeff Sheehy, Hillary Ronen, Malia Cohen, Ahsha Safai



BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

March 7, 2017

File No. 170203

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On February 28, 2017, Mayor Lee introduced the following proposed legislation:

**File No. 170203**

**Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts ("NCDs"); enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah NCDs; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach NCD; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and "SUD"); create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for*  By: Aisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

March 7, 2017

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

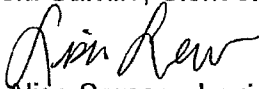
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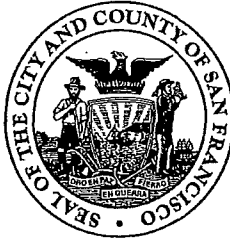
The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Acting Environmental Review Officer
- AnMarie Rodgers, Senior Policy Advisor
- Jeanie Poling, Environmental Planning
- Joy Navarrete, Environmental Planning

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

## MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
Small Business Commission, City Hall, Room 448

FROM: *el*  
*for* Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

DATE: March 7, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 170203

Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts ("NCDs"); enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah NCDs; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach NCD; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and "SUD"); create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

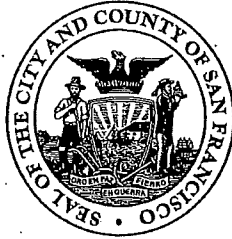
**No Comment**

**Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**

c: Menaka Mahajan, Small Business Commission

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection

FROM: *ll*  
*for* Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

DATE: March 7, 2017

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Lee on February 28, 2017:

**File No. 170203**

**Ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts ("NCDs"); enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah NCDs; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah NCDs; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach NCD; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and "SUD"); create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection



OFFICE OF THE MAYOR  
SAN FRANCISCO



REDWIN M. LEE  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 FEB 28 PM 4: 26

TO: Angela Calvillo, Clerk of the Board of Supervisors BY en  
FROM: Mayor Edwin M. Lee  
RE: Planning Code - Article 7 Reorganization; Technical and Other  
Amendments  
DATE: February 28, 2017

Attached for introduction to the Board of Supervisors is an ordinance amending the Planning Code to reorganize Article 7 and to update, correct, clarify, and simplify Code language in other Planning Code Sections; requiring Conditional Use authorization for Bars, and Liquor Stores on the first floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; enacting permanent controls requiring Conditional Use authorization for Medical Cannabis Dispensaries in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; require Conditional Use authorization for Personal Services on the second floor in the Noriega, Irving, Taraval, and Judah Neighborhood Commercial Districts; prohibit Kennels, Large Scale Urban Agriculture, Business Hours from 2 a.m. to 6 a.m., and the demolition or merge of units on the second story and above in the North Beach Neighborhood Commercial District; preserve the small storefronts, street frontage and prohibit vehicular access on certain streets within the North Beach NCD and SUD; create the definition of Special Food Manufacturing and amending the Eating and Drinking Controls for the North Beach SUD; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and adopting findings of public convenience, necessity, and welfare under Planning Code Section 302.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

170203

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