

BOARD of SUPERVISORS



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October 2, 2017

File No. 171041

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On September 26, 2017, Mayor Lee introduced the following proposed legislation:

File No. 171041

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; and 6) delete superseded Planning Code provisions; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency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 public necessity, convenience and welfare findings pursuant to Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c) (2) because it does not result in a physical change in the environment.

REVIEWED

By Joy Navarrete at 11:06 am, Oct 04, 2017

1 [Planning Code - Cannabis Regulation]

2

3 **Ordinance amending the Planning Code to 1) regulate cannabis land uses, including,**
4 **among other things, adult use cannabis retail, Medical Cannabis Dispensaries,**
5 **delivery-only services, manufacture of cannabis products, cannabis cultivation, and**
6 **cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning**
7 **districts; 3) establish a land use process for the conversion of existing Medical**
8 **Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and**
9 **operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited**
10 **the number of medical cannabis dispensaries in Supervisorial District 11; and 6)**
11 **delete superseded Planning Code provisions; affirming the Planning Department's**
12 **determination under the California Environmental Quality Act; and making findings of**
13 **consistency with the General Plan, and the eight priority policies of Planning Code,**
14 **Section 101.1, and public necessity, convenience and welfare findings pursuant to**
15 **Planning Code, Section 302.**

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

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

24 Section 1.

25 (a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

1 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
2 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
3 determination.

4 (b) On _____, the Planning Commission, in Resolution No. _____,
5 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
6 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
7 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
8 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

9 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
10 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
11 Commission Resolution No. _____, and the Board incorporates such reasons herein by
12 reference.

13
14 Section 2. The Planning Code is hereby amended by revising Sections 102, 202.2,
15 204.3, 209.1, 209.2, 210.3, 303, 303.1, 312, 703, 710-726, 728-734, 750-764, 803.2, 803.3,
16 810-818, 840-845, 890.52, 890.54, 890.111, deleting Sections 739-742, 745, and 748, and
17 adding Sections 190 and 890.125, to read as follows:

18
19 **SEC. 102. DEFINITIONS.**

20 * * * *

21 ***Agriculture.*** A Use Category that includes *Industrial Agriculture*, Neighborhood Agriculture,
22 *and* Large-Scale Urban Agriculture, ~~and Greenhouse.~~

23
24 ***Agricultural Food, Fiber and Beverage Processing 1.*** An Industrial use that involves the
25 processing of ~~food-stuffs~~, agricultural ~~products~~*fibers*, and beverages with a low potential for

1 noxious fumes, noise and nuisance to the surrounding area, including but not limited to
2 bottling plants, breweries, dairy products plant, malt manufacturing or processing plant, fish
3 curing, smoking, or drying, cereal manufacturing, liquor distillery, manufacturing of felt or
4 shoddy, processing of hair or products derived from hair, pickles, sauerkraut, vinegar, yeast,
5 soda or soda compounds, meat products, manufacturing or and fish oil. This use does not
6 include the processing of wood pulp, and is subject to the operating conditions outlined in
7 Section 202.2(d).

8
9 **Agricultural Food, Fiber and Beverage Processing 2.** An Industrial Use that involves the
10 processing of ~~food stuffs,~~ agricultural products fibers, and beverages with a high potential for
11 noxious fumes, noise and nuisance to the surrounding area, including but not limited to a
12 flour mill,; sugar refinery,; manufacturer of cannabis products or extracts that are derived by using
13 volatile organic compounds (any use requiring License Type 7—Manufacturer 2, as defined in
14 California Business and Professions Code, Division 10); and facility for wool pulling or scouring.
15 This use does not include the processing of wood pulp, and is subject to the operating
16 conditions outlined in Section 202.2(d).

17
18 **Agriculture, Industrial Greenhouse.** An Agricultural use that involves the cultivation of plants
19 for wholesale sales or industrial uses inside a glass building. This use includes, but is not limited to,
20 plant nurseries and cannabis cultivation operations, and is subject to the location and operating
21 conditions listed in Section 202.2(c). For the cultivation of cannabis, this definition includes all
22 cultivation pursuant to state license types that allow for indoor and/or mixed-light cultivation with up
23 to 22,000 sq. ft. of canopy. This definition does not include accessory structures located in a
24 required rear yard that comply with Section 136(e)(22) of this Code.

1 **Agriculture, Large-Scale Urban.** An Agricultural Use that is characterized by the use of
2 land for the production of food or horticultural crops to be harvested, sold, ~~or~~ donated, or
3 otherwise not used or consumed by the operator of the premises that occur: (a) on a plot of land
4 one acre or larger or (b) on smaller parcels that cannot meet the physical and operational
5 standards for Neighborhood Agriculture. This use is subject to location and operational
6 conditions outlined in Section 202.2(c) of this Code and does not include any cannabis-related
7 use or any other agricultural activities, including the cultivation of cannabis for personal use.

8
9 **Agriculture, Neighborhood.** An Agricultural Use that occupies less than one acre for the
10 production of food or horticultural crops to be harvested, sold, or donated and complies with
11 the controls and standards herein. The use includes, but is not limited to, home, kitchen, and
12 roof gardens. Farms that qualify as Neighborhood Agricultural ~~Use~~ may include, but are not
13 limited to, community gardens, community-supported agriculture, market gardens, and
14 private farms. Neighborhood Agricultural ~~Use~~ may be principal or accessory use. This use
15 is subject to location and operational conditions outlined in Section 202.2(c) of this Code and
16 does not include any cannabis-related use or any other agricultural activities, including the
17 cultivation of cannabis for personal use.

18 * * * *

19 **Cannabis Retail.** A Retail Sales and Service Use that sells or otherwise provides cannabis and
20 cannabis-related products for adult use, and that may also include the sale or provision of cannabis
21 for medicinal use. Cannabis may be consumed on site pursuant to authorization by the City's Office
22 of Cannabis and Department of Public Health, as applicable. A Cannabis Retail establishment may
23 only be operated by the holder of (a) a valid license from the State of California (License Type 10—
24 Retailer, as defined in California Business and Professions Code, Division 10) and (b) a valid permit

1 from the City's Office of Cannabis. This use is subject to operating and location restrictions set forth
2 in Section 202.2(a).

3 * * * *

4 **Industrial Use.** A Use Category continuing the following uses: Agricultural and Beverage
5 Processing 1 and 2, Automobile Wrecking, Automobile Assembly, Food Fiber and Beverage
6 Processing 1 and 2, Grain Elevator, Hazardous Waste Facility, Junkyard, Livestock
7 Processing 1 and 2, Heavy Manufacturing 1, 2, and 3, Light Manufacturing, Metal Working,
8 Power Plant, Ship Yard, Storage Yard, Volatile Materials Storage, and Truck Terminal.

9 * * * *

10 **Laboratory.** A Non-Retail Sales and Services Use intended or primarily suitable for
11 scientific research. The space requirements of uses within this category include specialized
12 facilities and/or built accommodations that distinguish the space from Office uses, Light
13 Manufacturing, or Heavy Manufacturing. Examples of laboratories include the following:

14 (a) Chemistry, biochemistry, or analytical laboratory;

15 (b) Engineering laboratory;

16 (c) Development laboratory;

17 (d) Biological laboratories including those classified by the Centers for Disease
18 Control (CDC) and National Institutes of Health (NIH) as Biosafety level 1, Biosafety level 2,
19 or Biosafety level 3;

20 (e) Animal facility or vivarium, including laboratories classified by the CDC/NIH as
21 Animal Biosafety level 1, Animal Biosafety level 2, or Animal Biosafety level 3;

22 (f) Support laboratory;

23 (g) Quality assurance/Quality control laboratory; ~~and~~

24 (h) Core laboratory; and

1 (i) Cannabis testing facility (any use requiring License Type 8—Testing Laboratory, as
2 defined in California Business and Professions Code, Division 10).

3 * * * *

4 **Manufacturing, Light.** An Industrial Use that provides for the fabrication or production of
5 goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the
6 premises, primarily involving the assembly, packaging, repairing, or processing of previously
7 prepared materials. Light manufacturing uses include production and custom activities
8 usually involving individual or special design, or handiwork, such as the following fabrication
9 or production activities, as may be defined by the Standard Industrial Classification Code
10 Manual as light manufacturing uses:

11 (a) Food processing;

12 (b) Apparel and other garment products;

13 (c) Furniture and fixtures;

14 (d) Printing and publishing of books or newspapers;

15 (e) Leather products;

16 (f) Pottery;

17 (g) Glass-blowing;

18 (h) Commercial laundry, rug cleaning, and dry cleaning facility; ~~or~~

19 (i) Measuring, analyzing, and controlling instruments; photographic, medical, and
20 optical goods; watches and clocks; or

21 (j) Manufacture of cannabis products or cannabis extracts that are derived without the use of
22 volatile organic compounds (any use requiring License Type 6—Manufacturer 1, as defined in
23 California Business and Professions Code, Division 10).

1 It shall not include Trade Shop, Agricultural and Beverage Processing 1 or 2, or Heavy
2 Manufacturing 1, 2, or 3. This use is subject to the location and operation controls in
3 Section 202.2(d).

4 * * * *

5 **Medical Cannabis Dispensary.** An Institutional Healthcare Use that is either (a) a
6 cooperative or collective operating under the authority of a permit issued by the Director of Health
7 under the Medical Cannabis Act, or (b) a Medicinal Cannabis Retailer as defined in Police Code,
8 Section 1602. A Medical Cannabis Dispensary Used defined in Section 3301(f) of the San Francisco
9 Health Code, which is permitted only if it meets the conditions listed in Section 202.2(e).

10 * * * *

11 **Service, Parcel Delivery.** A Non-Retail Automotive Use limited to facilities for the
12 unloading, sorting, and reloading of local retail merchandise for ~~home~~ deliveries, including but
13 not limited to cannabis and cannabis products, where the operation is conducted entirely within
14 a completely enclosed building, including garage facilities for local delivery trucks, but
15 excluding repair shop facilities. Where permitted in PDR Districts, this use is not required to
16 be operated within a completely enclosed building.

17 * * * *

18 **Wholesale Sales.** A Non-Retail Sales and Service Use that exclusively provides goods or
19 commodities for resale or business use, including accessory storage. This use includes
20 cannabis distribution (any use requiring License Type 11—Distributor, as defined in California
21 Business and Professions Code, Division 10). It shall not include a nonaccessory storage
22 warehouse.

23 * * * *

1 **SECTION 190. CONVERSION OF MEDICAL CANNABIS DISPENSARIES TO CANNABIS**
2 **RETAIL ESTABLISHMENTS.**

3 (a) An establishment that holds a valid permit from the Department of Public Health to
4 operate as a Medical Cannabis Dispensary as of the effective date of the ordinance in Board File
5 No. _____ (“DPH-Permitted MCD”) may convert to a Cannabis Retail Use without
6 obtaining Conditional Use authorization or seeking Mandatory Discretionary Review, by obtaining a
7 building permit authorizing the change of use. Such permits are subject to neighborhood notification
8 pursuant to Sections 311 and 312, if applicable.

9 (b) A DPH-Permitted MCD converting to a Cannabis Retail Use pursuant to this Section 190
10 is not subject to the locational restrictions for Cannabis Retail set forth in Section 202.2(a).

11 (c) In order for a DPH-Permitted MCD to convert to a Cannabis Retail Use pursuant to this
12 Section 190, a completed application for the change of use must be submitted to the Department of
13 Building Inspection no later than June 30, 2018, and a first approval by the Planning Department or
14 Planning Commission must be received on or before December 31, 2019. An application will be
15 deemed to have received its first approval from the Planning Department or Planning Commission
16 when that body issues its decision, regardless of whether any appeal or lawsuit is subsequently filed
17 challenging any City approval related to the application.

18 (d) All other applications for a change of use from a DPH-Permitted MCD to a Cannabis
19 Retail Use shall be subject to the zoning controls for the district in which the DPH-Permitted MCD is
20 located.

21 (e) This Section 190 shall expire by operation of law on January 1, 2020. Upon expiration of
22 this Section 190, the City Attorney shall cause this Section 190 to be removed from the Planning
23 Code.

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

2 (a) **Retail Sales and Service Uses.** The Retail Sales and Service Uses listed below
3 shall be subject to the corresponding conditions:

4 * * * *

5 (5) **Cannabis Retail.** A Cannabis Retail establishment must meet all of the following
6 conditions:

7 (A) A Cannabis Retail establishment must apply for a permit from the Office of
8 Cannabis pursuant to Article 16 of the Police Code prior to submitting an application to the Planning
9 Department.

10 (B) The parcel containing the Cannabis Retail establishment shall not be
11 located within a 600-foot radius of a parcel containing an existing School, public or private, and
12 shall not be located within a 300-foot radius of a parcel for which a valid permit from the City's
13 Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. There
14 shall be no minimum radius from a Cannabis Retail Use to an existing day care center or youth
15 center unless a state licensing authority specifies a minimum radius.

16 * * * *

17 (c) **Agriculture Use.** The Agricultural Uses listed below shall be subject to the
18 corresponding conditions:

19 (1) **Agricultural Uses, General.**

20 Any plot of land that exceeds 1,000 square feet and is newly established shall comply
21 with the applicable water use requirements of Administrative Code Chapter 63. Pursuant to
22 Section 63.6.2(b) of the Administrative Code, no permit for any site where the modified land
23 area exceeds 1,000 square feet shall be issued until the General Manager of the Public
24 Utilities Commission has approved the applicable landscape project documentation.

25 * * * *

1 (3) Industrial Agriculture.

2 Cannabis must only be grown within an enclosed structure.

3 (d) **Industrial Uses.** The Industrial and PDR uses listed below shall be subject the
4 corresponding conditions:

5 (1) **Heavy Manufacturing 1, Metal Working and Agricultural Food, Fiber,**
6 **and Beverage Processing 1 and 2.** These uses are required to operate within a
7 completely enclosed building, with no opening, other than fixed windows or exits required by
8 law, within 50 feet of any R District; No noise, vibration, or unhealthful emissions shall
9 extend beyond the premises of the use.

10 * * * *

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

13 (1) **Medical Cannabis Dispensaries.** Medical Cannabis Dispensaries ~~Uses~~
14 are required to meet all of the following conditions:

15 (A) A Medical Cannabis Dispensary Use shall apply for a permit from
16 the ~~Department of Public Health~~Office of Cannabis pursuant to ~~Section 3304~~Article 16 of the ~~San~~
17 ~~Francisco HealthPolice~~ Code prior to submitting an application to the Planning Department.

18 (B) The parcel containing the Medical Cannabis Dispensary Use shall
19 not be located within a 600-foot radius of less than 1,000 feet from a parcel containing ~~the~~
20 ~~grounds of a use primarily serving persons under 18 years of age and which consists of the~~
21 ~~following: an existing~~ School, public or private, ~~or a Public Facility, Community Facility, or Private~~
22 ~~Community Facility; unless a state licensing authority specifies a different radius, and shall not be~~
23 ~~located within a 300-foot radius of a parcel for which a valid permit from the City's Office of~~
24 ~~Cannabis for a Cannabis Retailer or Medicinal Cannabis Retailer has been issued. There shall be no~~
25 ~~minimum radius from a Medical Cannabis Dispensary Use to an existing day care center or youth~~

1 center unless a state licensing authority specifies a minimum radius. Smoking on the premises of
2 a Medical Cannabis Dispensary Use located within ~~1000~~600 feet of a School, public or
3 private, ~~or a Public Facility, Community Facility, or Private Community Facility that primarily~~
4 ~~serves persons under 18 years of age~~ is not permitted.

5 * * * *

6 (h) Cannabis-Related Uses. Except as otherwise specified in the Code, there shall be no
7 minimum radius from a cannabis-related Use to an existing School, public or private; day care
8 center; or youth center unless a state licensing authority specifies a minimum radius.

9
10 **SEC. 204.3. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN C, RC, M,**
11 **AND PDR DISTRICTS.**

12 (a) ~~Commercial, and Residential-Commercial, Districts PDR and M Districts.~~ No use
13 shall be permitted as a ~~An~~ Accessory Use to a lawful ~~p~~Principal or ~~e~~Conditional Use ~~in any~~
14 ~~Commercial or Residential-Commercial District which is subject to~~ involves or requires any of the
15 following limitations:

16 (1) Floor Area Limitations. ~~The use of more~~ An Accessory Use cannot occupy more
17 than one-third of the total floor area occupied by such use, any additional accessory uses, and
18 the ~~p~~Principal or ~~e~~Conditional Use to which it is accessory, except in the case of accessory
19 off-street parking or loading; ~~or~~

20 (2) Noise and Vibration Limitations. Any noise, vibration, or unhealthful
21 emissions must not ~~extend~~ing beyond the premises of the use.

22 (3) Limitations on Cannabis Retail Accessory Uses. The sale of cannabis as an
23 accessory use is subject to any applicable limitations or regulations imposed by the Office of
24 Cannabis. Cannabis Retail is not permitted as an Accessory Use unless the Cannabis Retail

1 establishment holds a permit from the City's Office of Cannabis specifically permitting Cannabis
2 Retail accessory to another activity on the same premises.

3 (b) **PDR and M Districts Specific Controls.** ~~No use shall be permitted as an accessory use~~
4 ~~to a lawful principal or conditional use in any PDR or M District that involves or requires the use of~~
5 ~~more than one-third (1/3) of the total floor area occupied by such use and the principal or~~
6 ~~conditional use to which it is accessory, except in the case of accessory retail, off-street parking, and~~
7 ~~loading.~~ Multiple PDR uses within a single building or development may combine their
8 accessory retail allotment into one or more shared retail spaces, provided that the total
9 allotment of accessory retail space per use does not exceed what otherwise would be
10 permitted by this Section 204.3.

11 (c) **C, M, and PDR Districts Specific Controls.** An antenna or a microwave or satellite
12 dish shall be permitted in, C, M and PDR Districts, except PDR-1-B Districts, without regard
13 to the height of such antenna or microwave or satellite dish and without regard to the
14 proximity of such antenna or microwave or satellite dish to any R District, if the following
15 requirements are met:

16 (1) the antenna or dish will be used for the reception of indoor wireless,
17 microwave, radio, satellite, or television broadcasts for the exclusive benefit of the residents
18 or occupants in the building on which the facility is placed; *and*

19 (2) the antenna or dish is an accessory use to a lawful principal or conditional
20 use.; *and*

21 (3) the antenna or dish shall comply with any applicable design review criteria,
22 including but not limited to any applicable design review criteria contained in the Wireless
23 Telecommunications Services Facility Siting Guidelines.

24 * * * *

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

2 * * * *

3 **Table 209.1**

4 **ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
* * * *						
Agricultural Use Category						
Agricultural Uses*	§§ 102, 202.2(c)	C	C	C	C	C
<i>Agriculture, Industrial</i>	<i>§§ 102, 202.2(c)</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
Agriculture, Neighborhood	§§ 102, 202.2(c)	P	P	P	P	P
* * * *						

16 **SEC. 209.2. RM (RESIDENTIAL, MIXED) DISTRICTS.**

17 * * * *

18 **Table 209.2**

19 **ZONING CONTROL TABLE FOR RM DISTRICTS**

Zoning Category	§ References	RM-1	RM-2	RM-3	RM-4
* * * *					
Agricultural Use Category					

Agricultural Uses*	§§ 102, 202.2(c)	C	C	C	C
<i>Agriculture, Industrial</i>	§§ 102, 202.2(c)	<i>NP</i>	<i>NP</i>	<i>NP</i>	<i>NP</i>
Agriculture, Neighborhood	§§ 102, 202.2(c)	P	P	P	P
* * * *					

SEC. 210.3. PDR DISTRICTS.

* * * *

Table 210.3

ZONING CONTROL TABLE FOR PDR DISTRICTS

Zoning Category	§ References	PDR-1-D	PDR-1-B	PDR-1-G	PDR-2
* * * *					
NON-RESIDENTIAL STANDARDS AND USES					
* * * *					
Industrial Use Category					
* * * *					
<i>Agricultural Food Fiber and Beverage Processing 1</i>	§§ 102, 202.2(d)	NP	P	P	P

1 2 3 4 5	<i>Agricultural Food Fiber and Beverage Processing 2</i>	§§ 102, 202.2(d)	NP	C	C	C
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6
7 ***Institutional Use Category***

8	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
9 10 11	Medical Cannabis Dispensary	§§ 102, 202.2(e)	<u>NPP (1)</u>	<u>NPP (10)</u>	<u>NPP (9)</u>	<u>NPP (1)</u>
12	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

13 ***Sales and Service Category***

14 15 16	Retail Sales and Service Uses*	§§ 102, 202.2(a)	P (1)	P (10)	P (9)	P (1)
17	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
18 19	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>P (1)(21)</u>	<u>P (10)(21)</u>	<u>P (9)(21)</u>	<u>P (1)(21)</u>
20	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *

21 * * * *

22 (21) Cannabis Retail is only permitted where (a) the Cannabis Retail establishment holds a valid
 23 Cannabis Microbusiness permit from the City's Office of Cannabis, and (b) the Cannabis Retail Use
 24

1 occupies no more than 1/3 of the total floor area occupied by the PDR and Cannabis Retail Uses on
2 the premises.

3 **SEC. 303. CONDITIONAL USES.**

4 * * * *

5 (~~1v~~) **Affordable Housing Bonus Projects.** The purpose of this Section is to ensure
6 that all HOME-SF Projects under Section 206.3 and all Analyzed State Density Bonus
7 Program Projects under Section 206.5 are reviewed in coordination with priority processing
8 available for certain projects with greater levels of affordable housing. While most projects in
9 the Program will likely be somewhat larger than their surroundings in order to facilitate
10 higher levels of affordable housing, the Planning Commission and Department shall ensure
11 that each project is consistent with the Affordable Housing Bonus Design Guidelines and
12 any other applicable design guidelines, as adopted and periodically amended by the
13 Planning Commission, so that projects respond to their surrounding context, while still
14 meeting the City's affordable housing goals.

15 * * * *

16 (2) **Exceptions.** This subsection (~~v~~)(2) shall not apply to State Analyzed
17 projects. As a component of the review process under this Section 303(~~v~~), the Planning
18 Commission may grant minor exceptions to the provisions of this Code as provided for
19 below, in addition to the development bonuses granted to the project in Section 206.3(d).
20 Such exceptions, however, should only be granted to allow building mass to appropriately
21 shift to respond to surrounding context, and only when the Planning Commission finds that
22 such modifications: (1) do not substantially reduce or increase the overall building envelope
23 permitted by the Program under Sections 206.3; and (2) are consistent with the Affordable
24 Housing Bonus Design Guidelines. These exceptions may include:

25 * * * *

1 (F) Where not specified elsewhere in this subsection (~~v~~)(2),
2 modification of other Code requirements that could otherwise be modified as a Planned Unit
3 Development (as set forth in Section 304), irrespective of the zoning district in which the
4 property is located.

5 * * * *

6 (3) **Additional Criteria.** In addition to the criteria set forth in subsection (c)(2),
7 the Planning Commission shall consider the extent to which the following criteria are met:

8 * * * *

9 (F) whether any existing commercial or retail use~~s~~ has been
10 designated, or is eligible to be designated, as a Legacy Business under Administrative Code
11 Section 2A.242; or is a formula retail business.

12 * * * *

13 **(w) Cannabis Retail.**

14 With respect to any application for the establishment of a new Cannabis Retail Use, in
15 addition to the criteria set forth in subsections (c) and (d) above, the Commission shall consider the
16 geographic distribution of Cannabis Retail Uses throughout the City, the balance of other goods and
17 services available within the general proximity of the proposed Cannabis Retail Use, any increase in
18 youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any
19 proposed measures to counterbalance any such increase.

20 **SEC. 303.1. FORMULA RETAIL USES.**

21 * * * *

22 (c) **"Retail Sales or Service Activity or Retail Sales or Service Establishment."**

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

1 * * * *

2 Tourist Oriented Gift Store §§ 102, 890.39; ~~and~~

3 Non-Auto Vehicle Sales or Rental §§ 102, 890.69; and

4 Cannabis Retail §§ 102, 890.125.

5 * * * *

6 **SECTION 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN**
7 **NEIGHBORHOODS MIXED USE DISTRICTS.**

8 * * * *

9 **(c) Changes of Use.**

10 **(1) NC Districts.** In NC Districts, all building permit applications for a change of
11 use to or the establishment of the following uses shall be subject to the provisions of subsection
12 312(d):

- 13 • ~~an~~ Adult Business
- 14 • Bar;
- 15 • Cannabis Retail
- 16 • Child Care Facility;
- 17 • General Entertainment;
- 18 • Group Housing;
- 19 • Limited Restaurant;
- 20 • Liquor Store;
- 21 • Restaurant;
- 22 • Massage Establishment;
- 23 • Medical Cannabis Dispensary
- 24 • Nighttime Entertainment;
- 25 • Outdoor Activity Area;

- 1 ● Post-Secondary Educational Institution;
- 2 ● Private Community Facility;
- 3 ● Public Community Facility;
- 4 ● Religious Institution;
- 5 ● Residential Care Facility;
- 6 ● School;
- 7 ● Tobacco Paraphernalia Establishment; ~~or~~
- 8 ● Trade Schools ~~shall be subject to the provisions of Subsection 312(d);~~

9 provided, however, that a change of use from a Restaurant to a Limited-Restaurant shall not
 10 be subject to the provisions of subsection 312(d). In addition, any accessory massage use
 11 in the Ocean Avenue Neighborhood Commercial Transit District shall be subject to the
 12 provisions of subsection 312(d).

13 **(2) Eastern Neighborhoods Districts.** In all ~~RED and~~ Eastern Neighborhoods
 14 Mixed Use Districts all building permit applications for a change of use from any one land
 15 use category to another land use category or for the establishment of a new Cannabis Retail or
 16 Medical Cannabis Dispensary Use shall be subject to the provisions of Subsection 312(d). For
 17 the purposes of this subsection (c), "land use category" shall mean those categories used to
 18 organize the individual land uses which appear in the use tables in Article 8, immediately
 19 preceding a group of individual land uses, ~~and include the~~ including but not limited to the
 20 following: Residential Use, Institutional Use, Retail Sales and Service Use, ~~a~~ Asssembly,
 21 Recreation, Arts and Entertainment Use, Office Use, Live/Work Units, ~~m~~ Motor ~~v~~ Vehicle
 22 ~~s~~ Services ~~u~~ Use, Vehicle Parking. Industrial, ~~h~~ Home and ~~b~~ Business ~~s~~ Service Use, or ~~o~~ Other
 23 ~~u~~ Use.

24 * * * *

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

1 * * * *

2 (d) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1
3 (Accessory Uses for Dwelling Units in R and NC Districts), 204.4 (Dwelling Units Accessory
4 to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code,
5 Accessory Uses as defined in Section 102 shall be permitted when located on the same lot.
6 Any use that does not qualify as an Accessory Use shall be classified as a Principal or
7 Conditional ~~u~~Use unless it qualifies as a temporary use under Sections 205 through 205.4 of
8 this Code.

9 No Use will be considered accessory to a permitted Principal or Conditional Use that
10 involves or requires any of the following:

11 * * * *

12 (9) Cannabis Retail that does not meet the limitations set forth in Section 204.3(a)(3).

13 * * * *

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

15 * * * *

16 **Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
17 **ZONING CONTROL TABLE**

18 * * * *

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	<u>Greenhouse Agriculture.</u>	§§ 102,	NP	NP	NP
2	<u>Industrial</u>	202.2(c)			
3	* * * *				
4	Institutional Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	Medical Cannabis Dispensary	§§ 102,	NP (4)	NP	NP
7		202.2(e)			
8	* * * *	* * * *	* * * *	* * * *	* * * *
9	Residential Care Facility	§ 102	P	P (54)	P (54)
10	* * * *				
11	Sales and Service Use Category				
12	* * * *	* * * *	* * * *	* * * *	* * * *
13	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
14	* * * *	* * * *	* * * *	* * * *	* * * *
15	Utility and Infrastructure Use Category				
16	Utility and Infrastructure*	§ 102	C (65)	C (65)	C (65)
17					
18	* * * *	* * * *	* * * *	* * * *	* * * *

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

22 (54) C required for 7 or more persons.

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

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

2 * * * *

3 **Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2**
 4 **ZONING CONTROL TABLE**

5 * * * *

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 st	2 nd	3 rd +

* * * *				
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture.</i>				
<i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	DR	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

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

* * * *

**Table 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 st	2 nd	3 rd +
* * * *				
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture.</u>				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	DR	DRNP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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

* * * *

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

* * * *

Zoning Category	§ References	Controls		
* * * *	* * * *	* * * *		
NON-RESIDENTIAL USES		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>				
<i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 714. BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	Medical Cannabis Dispensary	§§ 102,	DR	<u>NPDR</u>	NP
2		202.2(e)			
3	* * * *	* * * *	* * * *	* * * *	* * * *
4	Sales and Service Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
7	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS AND USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102,</u> <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture,</u> <u>Industrial</u>	§§102, 202.2(c)	NP	NP	NP

* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102,</u> <u>202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 717. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	<i>Greenhouse Agriculture</i>	§§ 102,			
2	<i>Industrial</i>	202.2(c)	NP	NP	NP
3	* * * *				
4	Institutional Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	Medical Cannabis	§§ 102,	DR	<i>NPDR</i>	NP
7	Dispensary	202.2(e)			
8	* * * *	* * * *	* * * *	* * * *	* * * *
9	Sales and Service Use Category				
10	* * * *	* * * *	* * * *	* * * *	* * * *
11	<i>Cannabis Retail</i>	<i>§§102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
12	* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

Table 718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102,	DR	<i>NPDR</i>	NP
	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<i>§§ 102,</i>	<i>C</i>	<i>C</i>	<i>NP</i>
	<i>202.2(a)</i>			
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 719. HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls
NON-RESIDENTIAL STANDARDS & USES		
* * * *		
		Controls by Story

		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102,	DR	<i>NPDR</i>	NP
	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102,	<u>C</u>	<u>C</u>	<u>NP</u>
	202.2(a)			
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

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

* * * *

Zoning Category	§ References	Controls
-----------------	--------------	----------

1 **NON-RESIDENTIAL STANDARDS & USES**

2 * * * *

	Controls by Story			
	1 st	2 nd	3 rd +	

3 **Agricultural Use Category**

4 * * * *	* * * *	* * * *	* * * *	* * * *
5 <i>Greenhouse Agriculture,</i>	§§ 102,			
6 <i>Industrial</i>	202.2(c)	NP	NP	NP

7 * * * *

8 **Institutional Use Category**

9 * * * *	* * * *	* * * *	* * * *	* * * *
10 Medical Cannabis Dispensary	§§ 102,	DR(+)	DR(+)	DR(+)
	202.2(e)			

11 * * * *

12 **Sales and Service Use Category**

13 * * * *	* * * *	* * * *	* * * *	* * * *
14 <i>Cannabis Retail</i>	§§ 102,	<u>C</u>	<u>C</u>	<u>NP</u>
	202.2(a)			

15 * * * *

16 * * * *

17 ~~(1) MEDICAL CANNABIS DISPENSARIES~~

18 ~~Controls:~~

19 ~~—(a) A Medical Cannabis Dispensary (MCD) seeking to locate within 500 feet of another~~
 20 ~~MCD use may be allowed as a Conditional Use; provided, however, that any amendments to~~

1 ~~regulations governing the proximity of an MCD to another MCD that are applicable to MCDs~~
2 ~~Citywide shall apply in the Excelsior Outer Mission NCD and will supersede the condition use~~
3 ~~requirement contained in this Section 745.1~~

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

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

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

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

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

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

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

22
23 **(21) OFF-SALE LIQUOR ESTABLISHMENTS**

24 **Controls:**

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

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

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

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

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

18 ~~(32)~~ FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

19 **Boundaries:** The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties
20 within the Excelsior Outer Mission Street Neighborhood Commercial District.

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

24 ~~(43)~~ C if a Macro WTS Facility; P if a Micro WTS Facility.
25

1 **SEC. 721. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 * * * *

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

5 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
Agricultural Use Category		1st(1)	2nd	3rd+
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis	§§ 102,	<i>NPDR</i>	<i>NPDR</i>	NP
Dispensary	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102,	<i>C</i>	<i>C</i>	<i>NP</i>
	202.2(a)			
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 722. NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	NPDR	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

1 **SEC. 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 * * * *

3 **Table 723. POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 4 **ZONING CONTROL TABLE**

5 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Greenhouse <u>Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102,	DR	<u>NPDR</u>	NP
	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	§§ 102,	<u>C</u>	<u>C</u>	<u>NP</u>
	202.2(a)			

* * * * * * * * * * * * * * * * * * * * * * * * *

SEC. 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 724. SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * * *				
Institutional Use Category				
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Medical Cannabis Dispensary	§§ 102,	DR	<i>NPDR</i>	NP
	202.2(e)			
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Sales and Service Use Category				
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

<i>Cannabis Retail</i>	§§ 102, 202.2(a)	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 725. UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 726. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture,</u> <u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Medical Cannabis Dispensary</u>	<u>§§ 102, 202.2(e)</u>	<u>DR</u>	<u>DR</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture.</u>				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 729. WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	Medical Cannabis	§§ 102,	C	<u>NPC</u>	NP
2	Dispensary	202.2(e)			
3	* * * *	* * * *	* * * *	* * * *	* * * *
4	Sales and Service Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	<u>Cannabis Retail</u>	<u>§§ 102,</u>	<u>C</u>	<u>C</u>	<u>NP</u>
7		<u>202.2(a)</u>			
8	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 730. INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture,</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				

Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<i>NPDR</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<i>§§102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture.</i>				
<i>Industrial</i>	§§102, 202.2(c)	NP	NP	NP

* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§102, 202.2(e)	C	<u>NPC</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	<u>Greenhouse Agriculture.</u>	§§ 102,			
2	<u>Industrial</u>	202.2(c)	NP	NP	NP
3	* * * *				
4	Institutional Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	Medical Cannabis	§§ 102,	C	<u>NP</u>	NP
7	Dispensary	202.2(e)			
8	* * * *	* * * *	* * * *	* * * *	* * * *
9	Sales and Service Use Category				
10	* * * *	* * * *	* * * *	* * * *	* * * *
11	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
12	* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

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**Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>				
<i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<i>NP</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102, 202.2(a)	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL *NEIGHBORHOOD* COMMERCIAL DISTRICT.

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Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls
NON-RESIDENTIAL STANDARDS & USES		
* * * *		
		Controls by Story

		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse-Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	C	<i>NP</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102, 202.2(a)	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

* * * *

SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

—The Noriega Street Neighborhood Commercial District is located in the Outer Sunset neighborhood and includes the non-residential currently-zoned NC-2 properties fronting both sides of Noriega Street between 19th and 27th and 30th through 33rd Avenues.

—The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions.

1 ~~—The Noriega 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~~
3 ~~that support the District’s vitality. The building standards allow small-scale buildings and uses,~~
4 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~
5 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~
6 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~
7 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. To~~
8 ~~protect continuous frontage, drive-up uses are prohibited and active, pedestrian-oriented ground~~
9 ~~floor uses generally must be provided, unless such uses are authorized by Conditional Use. These~~
10 ~~controls are designed to encourage the street’s active retail frontage, and local fabrication and~~
11 ~~production of goods.~~

12 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~
13 ~~Code.~~

14 **~~SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

15 ~~The Irving Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~
16 ~~and includes the non-residential currently-zoned NC-2 properties fronting both sides of Irving Street~~
17 ~~between 19th and 27th Avenues. The District provides a selection of convenience goods and services~~
18 ~~for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing~~
19 ~~customers from throughout the City and the region. There are also a significant number of~~
20 ~~professional, realty, and business offices as well as financial institutions.~~

21 ~~—The Irving Street Neighborhood Commercial District controls are designed to promote~~
22 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~
23 ~~that support the District’s vitality. The building standards allow small-scale buildings and uses,~~
24 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~
25 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~

1 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~
2 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~
3 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~
4 ~~production of goods.~~

5 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~
6 ~~Code.~~

7 ~~**SEC. 741. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**~~

8 ~~The Taraval Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~
9 ~~and includes the non-residential currently zoned NC-2 properties fronting both sides of Taraval~~
10 ~~Street from 19th through 36th Avenues. The District provides a selection of convenience goods and~~
11 ~~services for the residents of the Outer Sunset District. There are a high concentration of restaurants,~~
12 ~~drawing customers from throughout the City and the region. There are also a significant number of~~
13 ~~professional, realty, and business offices as well as financial institutions.~~

14 ~~The Taraval Street Neighborhood Commercial District controls are designed to promote~~
15 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~
16 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~
17 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~
18 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~
19 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~
20 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~
21 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~
22 ~~production of goods.~~

23 ~~—Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~
24 ~~Code.~~

25 ~~**SEC. 742. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**~~

1 ~~The Judah Street Neighborhood Commercial District is located in the Outer Sunset neighborhood~~
2 ~~and includes the non-residential currently-zoned NC-2 properties fronting both sides of Judah Street~~
3 ~~from 29th through 33rd Avenues. The District provides a selection of convenience goods and services~~
4 ~~for the residents of the Outer Sunset District. There are a high concentration of restaurants, drawing~~
5 ~~customers from throughout the City and the region. There are also a significant number of~~
6 ~~professional, realty, and business offices as well as financial institutions.~~

7 ~~The Judah Street Neighborhood Commercial District controls are designed to promote~~
8 ~~development that is consistent with its existing land use patterns and to maintain a harmony of uses~~
9 ~~that support the District's vitality. The building standards allow small-scale buildings and uses,~~
10 ~~protecting rear yards above the ground story and at residential levels. In new development, most~~
11 ~~commercial uses are permitted at the first two stories, although certain limitations apply to uses at~~
12 ~~the second story. Special controls are necessary to preserve the equilibrium of neighborhood-serving~~
13 ~~convenience and comparison shopping businesses and to protect adjacent residential livability. These~~
14 ~~controls are designed to encourage the street's active retail frontage, and local fabrication and~~
15 ~~production of goods.~~

16 ~~Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~
17 ~~Code.~~

18 **~~SEC. 745. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL~~**
19 **~~DISTRICT.~~**

20 ~~The Excelsior Outer Mission Street Neighborhood Commercial District is located along Mission~~
21 ~~Street between Alemany Boulevard and the San Francisco-San Mateo county line. Outer Mission~~
22 ~~Street is mixed use, combining street-fronting retail businesses on the ground floor and housing on~~
23 ~~upper floors. The range of comparison goods and services offered is varied and often includes~~
24 ~~specialty retail stores, restaurants, and neighborhood-serving offices. The area is transit-oriented~~
25

1 ~~and the commercial uses serve residents of the area as well as residents and visitors from adjacent~~
2 ~~and other neighborhoods.~~

3 ~~—The Excelsior Outer Mission Street Neighborhood Commercial District is intended to provide~~
4 ~~convenience goods and services to the surrounding neighborhoods as well as limited comparison~~
5 ~~shopping goods for a wider market. Housing development in new buildings is encouraged above the~~
6 ~~second story. Existing residential units are protected by limitations on demolitions and upper-story~~
7 ~~conversions. Parking for residential and commercial uses is not required. Buildings range in height,~~
8 ~~with height limits generally allowing up to four stories. Lots vary in size, generally small or medium-~~
9 ~~sized with some very large parcels. Accessory Dwelling Units are permitted within the district~~
10 ~~pursuant to subsection 207(c)(4) of this Code.~~

11 **~~SEC. 748. JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT.~~**

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

21 ~~—The Japantown Neighborhood Commercial District controls are designed to encourage and~~
22 ~~promote development that enhances the walkable, commercial character of this area and to support~~
23 ~~its local and regional role. New commercial development is required on the ground floor and~~
24 ~~permitted above. Most neighborhood and visitor-serving businesses are strongly encouraged,~~
25 ~~including eating, drinking, and retail uses, as long as they do not create a nuisance. Less active~~

1 ~~commercial uses are encouraged above the ground floor, along with housing and institutional uses.~~
 2 ~~Accessory Dwelling Units are permitted within the district pursuant to subsection 207(c)(4) of this~~
 3 ~~Code.~~

4 **SEC. 750. NCT-1 – NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT.**

5 * * * *

6 **Table 750. NEIGHBORHOOD COMMERCIAL TRANSIT CLUSTER DISTRICT NCT-1**
 7 **ZONING CONTROL TABLE**

8 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis	§§ 102,	DRNP	NP	NP
Dispensary	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	§§ 102, 202.2(a)	<u>NP</u>	<u>NP</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 751. NCT-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 751. SMALL-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-2 ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 752. NCT-3 – MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 752. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT NCT-3 ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	Medical Cannabis	§§ 102,	DR	<u>NPDR</u>	NP
2	Dispensary	202.2(e)			
3	* * * *	* * * *	* * * *	* * * *	* * * *
4	Sales and Service Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
7	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 753. SOMA NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse-Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 754. MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse-Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				

Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<i>NPDR</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<i>§§102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 755. OCEAN AVENUE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	<i>Greenhouse Agriculture,</i>	§§ 102,			
2	<i>Industrial</i>	202.2(c)	NP	NP	NP
3	* * * *				
4	Institutional Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	Medical Cannabis Dispensary	§§102,	DR	<i>NPDR</i>	NP
7		202.2(e)			
8	* * * *	* * * *	* * * *	* * * *	* * * *
9	Sales and Service Use Category				
10	* * * *	* * * *	* * * *	* * * *	* * * *
11	<i>Cannabis Retail</i>	<i>§§ 102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
12	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				

1	* * * *	* * * *	* * * *	* * * *	* * * *
2	<i>Greenhouse Agriculture.</i>				
3	<i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
4	* * * *				
5	Institutional Use Category				
6	* * * *	* * * *	* * * *	* * * *	* * * *
7	Medical Cannabis	§§ 102, 202.2(e)	DR	<i>NPDR</i>	NP
8	Dispensary				
9	* * * *	* * * *	* * * *	* * * *	* * * *
10	Sales and Service Use Category				
11	* * * *	* * * *	* * * *	* * * *	* * * *
12	<i>Cannabis Retail</i>	<i>§§ 102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
13	* * * *	* * * *	* * * *	* * * *	* * * *

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1 **SEC. 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.**

2 * * * *

3 **Table 757. FOLSOM STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**
 4 **ZONING CONTROL TABLE**

5 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse-Agriculture</i> <i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Medical Cannabis Dispensary</i>	§§ 102, 202.2(e)	<i>DR</i>	<i>DR</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102, 202.2(a)	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

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1 **SEC. 758. REGIONAL COMMERCIAL DISTRICT.**

2 * * * *

3 **Table 758. REGIONAL COMMERCIAL DISTRICT**
 4 **ZONING CONTROL TABLE**

5 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Greenhouse-Agriculture.				
<u>Industrial</u>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Medical Cannabis</u>	§§ 102, 202.2(e)	<u>DR</u>	<u>DR</u>	<u>NP</u>
<u>Dispensary</u>				
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	§§ 102, 202.2(a)	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 759. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis	§§ 102,	DR	<i>NPDR</i>	NP
Dispensary	202.2(e)			
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				

* * * *	* * * *	* * * *	* * * *	* * * *
<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 760. FILLMORE STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
* * * *	* * * *	* * * *	* * * *	* * * *

Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 761. HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture,</i>	§§ 102,			
<i>Industrial</i>	202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP

* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	§§ 102, 202.2(a)	<u>C</u>	<u>C</u>	<u>NP</u>
* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 762. VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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**Table 762. VALENCIA STREET NEIGHBORHOOD TRANSIT DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Greenhouse Agriculture.</i>				
<i>Industrial</i>	§§ 102, 202.2(c)	NP	NP	NP
* * * *				
Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	Medical Cannabis	§§ 102, 202.2(e)	DR	<u>NPDR</u>	NP
2	Dispensary				
3	* * * *	* * * *	* * * *	* * * *	* * * *
4	Sales and Service Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	<u>Cannabis Retail</u>	<u>§§ 102, 202.2(a)</u>	<u>C</u>	<u>C</u>	<u>NP</u>
7	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 763. 24TH STREET-MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 763. 24TH STREET -MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
* * * *				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<u>Greenhouse Agriculture.</u>	§§ 102,			
<u>Industrial</u>	202.2(c)	NP	NP	NP
* * * *				

Institutional Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
Medical Cannabis Dispensary	§§ 102, 202.2(e)	DR	<i>NPDR</i>	NP
* * * *	* * * *	* * * *	* * * *	* * * *
Sales and Service Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *
<i>Cannabis Retail</i>	<i>§§ 102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
* * * *	* * * *	* * * *	* * * *	* * * *

SEC. 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT.

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Table 764. UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT ZONING CONTROL TABLE

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL STANDARDS & USES				
		Controls by Story		
		1 st	2 nd	3 rd +
Agricultural Use Category				
* * * *	* * * *	* * * *	* * * *	* * * *

1	<i>Greenhouse Agriculture.</i>	§§ 102,			
2	<i>Industrial</i>	202.2(c)	NP	NP	NP
3	* * * *				
4	Institutional Use Category				
5	* * * *	* * * *	* * * *	* * * *	* * * *
6	Medical Cannabis	§§ 102,	DR	<i>NPDR</i>	NP
7	Dispensary	202.2(e)			
8	* * * *	* * * *	* * * *	* * * *	* * * *
9	Sales and Service Use Category				
10	* * * *	* * * *	* * * *	* * * *	* * * *
11	<i>Cannabis Retail</i>	<i>§§ 102, 202.2(a)</i>	<i>C</i>	<i>C</i>	<i>NP</i>
12	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS.

* * * *

TABLE 803.2 USE CATEGORIES PERMITTED IN THE CHINATOWN MIXED USE DISTRICTS

No.	Zoning Control Categories for Uses	Section Number of Use Definition
* * * *	* * * *	* * * *
<i>803.2.75</i>	<i>Cannabis Retail</i>	<i>§ 890.125</i>
* * * *	* * * *	* * * *

(b) **Use Limitations.** Uses in Chinatown Mixed Use Districts are either permitted, conditional, accessory, temporary, or are not permitted.

1 (1) **Permitted Uses.** All permitted uses in Chinatown Mixed Use Districts shall
2 be conducted within an enclosed building, unless otherwise specifically allowed in this Code.
3 Exceptions from this requirement are: accessory off-street parking and loading; uses which,
4 when located outside of a building, qualify as an outdoor activity area, as defined in Section
5 890.71 of this Code; Neighborhood Agriculture, as defined in Section 102 of this Code;
6 Wireless Telecommunications Services Facility, as defined in Section 102 of this Code; and
7 uses which by their nature are to be conducted in an open lot or outside a building, as
8 described in Sections 890 through 890.140 of this Code. If there are two or more uses in a
9 structure and none is classified under Section 803.2(b)(1)(C) of this Code as accessory,
10 then each of these uses will be considered separately as an independent permitted,
11 conditional, temporary or not permitted use.

12 * * * *

13 (C) **Accessory Uses.** Subject to the limitations set forth below and in
14 Sections 204.1 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and
15 Loading as Accessory Uses) of this Code, a related minor use which is either necessary to
16 the operation or enjoyment of a lawful *p*Principal *u*Use or *e*Conditional *u*Use or is
17 appropriate, incidental and subordinate to any such use, shall be permitted in Chinatown
18 Mixed Use Districts as an *a*Accessory *u*Use when located on the same lot. Any *u*Use not
19 qualified as an *a*Accessory *u*Use shall only be allowed as a *p*Principal or *e*Conditional *u*Use,
20 unless it qualifies as a temporary use under Sections 205 through 205.2 of this Code.

21 No use in a Chinatown Mixed Use District will be considered accessory to a
22 *p*Principal *u*Use which involves or requires any of the following:

23 * * * *

24 *(vii) Cannabis Retail that does not meet the limitations set forth in*
25 *Section 204.3(a)(3).*

1 * * * *

2 **SEC. 803.3. USES PERMITTED IN EASTERN NEIGHBORHOODS MIXED USE**
3 **DISTRICTS AND SOUTH OF MARKET MIXED USE DISTRICTS.**

4 * * * *

5 (b) **Use Limitations.** Uses in Eastern Neighborhood Mixed Use Districts and South
6 of Market Mixed Use Districts are either Principally Permitted, Conditional, Accessory,
7 temporary, or are not permitted.

8 (1) **Permitted Uses.** If there are two or more uses in a structure, any use not
9 classified below under Section 803.3 (b)(1)(C) of this Code as accessory will be considered
10 separately as an independent permitted, econditional, temporary or not permitted use.

11 * * * *

12 (C) **Accessory Uses.** Subject to the limitations set forth below and in
13 Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory
14 Uses for Uses Other Than Dwellings in R Districts); 204.4 (Dwelling Units Accessory to
15 Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an
16 accessory use is a related minor use which is either necessary to the operation or
17 enjoyment of a lawful pPrincipal #Use or Conditional Use, or is appropriate, incidental and
18 subordinate to any such use, and shall be permitted as an accessory #Use in an Eastern
19 Neighborhoods Mixed Use District and South of Market Mixed Use District. In order to
20 accommodate a pPrincipal #Use which is carried out by one business in multiple locations
21 within the same general area, such accessory #Use need not be located in the same
22 structure or lot as its pPrincipal #Use provided that (1) the accessory #Use is located within
23 1,000 feet of the pPrincipal #Use; and (2) the multiple locations existed on April 6, 1990 (the
24 effective date of this amendment). accessory #Uses to non-office uses (as defined in
25 Section 890.70) may occupy space which is non-contiguous or on a different Story as the

*p*Principal *u*se so long as the *a*ccessory *u*se is located in the same building as the *p*Principal *u*se and complies with all other restrictions applicable to such *a*ccessory *u*ses. Any use which does not qualify as an *a*ccessory *u*se shall be classified as a *p*Principal *u*se.

No use will be considered accessory to a *p*Principal *u*se which involves or requires any of the following:

* * * *

(vii) Cannabis Retail that does not meet the limitations set forth in

Section 204.3(a)(3).

* * * *

SEC. 810. CHINATOWN COMMUNITY BUSINESS DISTRICT.

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Table 810

CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Chinatown Community Business Controls by Story		
			1st	2nd	3rd+
Retail Sales and Services					
* * *	* * * *	* * * *	* * * *	* * * *	* * * *
* * *	* * * *	* * * *	* * * *	* * * *	* * * *
.75	<i>Cannabis Retail</i>	§§ 202.2(a), 890.125	<u>C</u>	<u>C</u>	
	* * * *	* * * *	* * * *	* * * *	* * * *

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1 **SEC. 811. CHINATOWN VISITOR RETAIL DISTRICT.**

2 * * * *

3 **Table 811**

4 **CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE**

5 * * * *

No.	Zoning Category	§ References	Chinatown Visitor Retail Controls by Story		
			1st	2nd	3rd+
Retail Sales and Services					
* *	* * * *	* * * *	* * * *	* * * *	* * * *
* *					
.75	<u>Cannabis Retail</u>	<u>§§ 202.2(a), 890.125</u>	<u>C</u>	<u>C</u>	
	* * * *	* * * *	* * * *	* * * *	* * * *

15 * * * *

16 **SEC. 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.**

17 * * * *

18 **Table 812**

19 **CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT**
20 **ZONING CONTROL TABLE**

21 * * * *

No.	Zoning Category	§ References	Chinatown Residential Neighborhood Commercial Controls by Story

			1st	2nd	3rd+
Retail Sales and Services					
* *					
* *	* * * *	* * * *	* * * *	* * * *	* * * *
.75	<u>Cannabis Retail</u>	<u>§§ 202.2(a), 890.125</u>	<u>C</u>		
	* * * *	* * * *	* * * *	* * * *	* * * *

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SEC. 813. RED – RESIDENTIAL ENCLAVE DISTRICT.

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Table 813			
RED – RESIDENTIAL ENCLAVE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential Enclave Controls

* * * *

Other Uses			
* * * *	* * * *	* * * *	* * * *
813.71	<u>Greenhouse or Plant Nursery</u> <u>Industrial Agriculture</u>	<u>§ 227(a)102</u>	NP
* * * *	* * * *	* * * *	* * * *
813.74A	Neighborhood Agriculture	§ 102.35(a)	P
813.74B	Large-Scale Urban Agriculture	§ 102.35(b)	NP

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SEC. 814. SPD – SOUTH PARK DISTRICT.

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Table 814

SPD – SOUTH PARK DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	South Park District Controls
* * * *	* * * *	* * * *	* * * *
Retail Sales and Services			
814.31	All Retail Sales and Services, Except for Bars, <i>and</i> Liquor Stores <i>and Cannabis Retail</i>	§§ <u>102.890.104</u> , 890.116	P up to 5,000 sf per lot
* * * *	* * * *	* * * *	* * * *
<u>814.75</u>	<u>Cannabis Retail</u>	§§ <u>202.2(a)</u> , <u>890.125</u>	<u>C up to 5,000 sf per lot</u>
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *

1		<i>Greenhouse or Plant</i>		
2	814.74A	<i>Nursery Industrial</i>	§ 227(a) 102	NP
3		<i>Agriculture</i>		
4	814.74B	Neighborhood	§ 102.35(a)	P
5		Agriculture		
6	814.74C	Large-Scale Urban	§ 102.35(b)	C
7		Agriculture		
8	* * * *	* * * *	* * * *	* * * *

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SEC. 815. RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT.

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Table 815			
RSD – RESIDENTIAL/SERVICE MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Residential/Service Mixed Use District Controls
* * * *			
Retail Sales and Services			
815.31	All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <i>Cannabis Retail</i> and Personal Services	§§ 102, 890.104	P, pursuant to § 803.8(c)
	* * * *	* * * *	* * * *
Other Uses			
	* * * *	* * * *	* * * *

1	815.74A	<i>Greenhouse or Plant Nursery Industrial Agriculture</i>	§ 227(a)102	NP
2	815.74B	Neighborhood Agriculture	§ 102.35(a)	P
3	815.74C	Large-Scale Urban Agriculture	§ 102.35(b)	C
4		* * * *	* * * *	* * * *

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SEC. 816. SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT.

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Table 816 SLR – SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USED DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Service/Light Industrial/ Residential Mixed Use District Controls
* * * *			
Retail Sales and Services			
17	All Retail Sales and Services which are not Office Uses or prohibited by		
18	§ 803.4, including Bars, Limited-	§§ 102. 890.104	P
19	Restaurants, Restaurants, <i>Cannabis</i>		
20	<i>Retail.</i> and Personal Services		
21			
22	* * * *	* * * *	* * * *
Other Uses			
24	* * * *	* * * *	* * * *
25			

1	816.74A	Greenhouse or Plant Nursery Industrial <u>Agriculture</u>	§ 227(a) 102	NP
2	816.74B	Neighborhood Agriculture	§ 102. 35(a)	P
3	816.74C	Large-Scale Urban Agriculture	§ 102. 35(b)	C
4		* * * *	* * * *	* * * *

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6
7
8 **SEC. 817. SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT.**

9 * * * *

10 <i>Table 817</i>			
11 SLI – SERVICE/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE			
12 No.	13 Zoning Category	14 § References	15 Service/Light Industrial District Controls
16 * * * *	17 * * * *	18 * * * *	19 * * * *
20 Retail Sales and Services			
21 817.31	22 All Retail Sales and Services which are not Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <u>Cannabis Retail</u> , and Personal Services	23 §§ 102, 890.104 P	

1	* * * *	* * * *	* * * *
2	Other Uses		
3	* * * *	* * * *	* * * *
4	817.74A	<i>Greenhouse or Plant Nursery-Industrial Agriculture</i>	§ 227(a) 102 P
5	817.74B	Neighborhood Agriculture	§ 102.35(a) P
6	817.74C	Large-Scale Urban Agriculture	§ 102.35(b) C
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SEC. 818. SSO – SERVICE/SECONDARY OFFICE DISTRICT.

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Table 818			
SSO – SERVICE/SECONDARY OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Service/Secondary Office District Controls
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19			
20	* * * *	* * * *	* * * *
21			
22	Retail Sales and Services		
23	818.31	All Retail Sales and Services which are not	§§ 102, 890.104 P
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	Office Uses or prohibited by § 803.4, including Bars, Limited-Restaurants, Restaurants, <u>Cannabis Retail</u> , and Personal Services		
* * * *	* * * *	* * * *	* * * *
Other Uses			
* * * *	* * * *	* * * *	* * * *
818.74A	<i>Greenhouse or Plant Nursery Industrial Agriculture</i>	§ 227(a) 102	P
818.74B	Neighborhood Agriculture	§ 102.35(a)	P
818.74C	Large-Scale Urban Agriculture	§ 102.35(b)	C
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1 **SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.**

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3 Table 840

4 MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-General District Controls
* * * *			
Institutions			
* * * *			
840.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *			
Retail Sales and Services			
* * * *			
<u>840.52</u>	<u>Cannabis Retail</u>	<u>§§ 202.2(a), 890.125</u>	<u>C. Subject to size controls in Section 840.45.</u>
* * * *			
Industrial, Home, and Business Service			
* * * *			
840.87	<i>Non-Retail Greenhouse or Plant Nursery</i> <i>Industrial Agriculture</i>	§ 227(a) 102	P
Other Uses			

* * * *	* * * *	* * * *	* * * *
840.97B	Neighborhood Agriculture	§ 102.35(a)	P
840.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
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SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.

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Table 841			
MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Mixed Use- Residential District Controls
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
841.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
Industrial, Home, and Business Service			
* * * *	* * * *	* * * *	* * * *
841.87	<i>Non-Retail Greenhouse or Plant Nursery</i> <i>Industrial Agriculture</i>	§ 227(a)102	P

Other Uses			
* * * *	* * * *	* * * *	* * * *
841.97B	Neighborhood Agriculture	§ 102.35(a)	P
841.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
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SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.

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Table 842

MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-Office District Controls
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
842.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
Industrial, Home, and Business Service			
* * * *	* * * *	* * * *	* * * *
842.87	<i>Non-Retail Greenhouse or Plant Nursery</i> <i>Industrial Agriculture</i>	§ 227(a)102	P
Other Uses			

* * * *	* * * *	* * * *	* * * *
842.97B	Neighborhood Agriculture	§ 102.35(a)	P
842.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
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SEC. 843. UMU – URBAN MIXED USE DISTRICT.

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Table 843			
UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
843.36	Medical Cannabis Dispensary	§ 890.133	AP
* * * *	* * * *	* * * *	* * * *
Industrial, Home, and Business Service			
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843.87	<i>Non-Retail Greenhouse or Plant Nursery Industrial Agriculture</i>	§ 227(a)102	P
Other Uses			

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843.97B	Neighborhood Agriculture	§ 102.35(a)	P
843.97C	Large-Scale Urban Agriculture	§ 102.35(b)	C
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SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

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Table 844			
WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	WSoMa Mixed Use-Residential District Controls
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
843.36	Medical Cannabis Dispensary	§ 890.133	NP
* * * *	* * * *	* * * *	* * * *
Industrial, Home, and Business Service			
* * * *	* * * *	* * * *	* * * *

1		<i>Non-Retail Greenhouse or</i>		
2	844.87	<i>Plant Nursery Industrial</i>	§ 227(a)102	P
3		<i>Agriculture</i>		
4	Other Uses			
5	* * * *	* * * *	* * * *	* * * *
6	844.97b	Neighborhood Agriculture	§ 102.35(a)	P
7				
8	844.97c	Large-Scale Urban	§ 102.35(b)	NP
9		Agriculture		
10	* * * *	* * * *	* * * *	* * * *

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SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

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Table 845			
WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE			
No.	Zoning Category	§ References	<i>WSOMA/WSOMA Mixed Use-Office District Controls</i>
* * * *			
Institutions			
* * * *	* * * *	* * * *	* * * *
845.36	Medical Cannabis Dispensary	§ 890.133	NP
* * * *	* * * *	* * * *	* * * *
Industrial, Home, and Business Service			

1	* * * *	* * * *	* * * *	* * * *
2	845.87	Non-Retail Greenhouse or Plant Nursery-Industrial Agriculture	§ 227(a) 102	P
6	Other Uses			
8	* * * *	* * * *	* * * *	* * * *
9	845.97b	Neighborhood Agriculture	§ 102. 35(a)	P
11	845.97c	Large-Scale Urban Agriculture	§ 102. 35(b)	NP
13	* * * *	* * * *	* * * *	* * * *

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SEC. 890.52. LABORATORY.

Laboratory shall mean space within any structure intended or primarily suitable for scientific research. The space requirements of uses within this category include specialized facilities and/or built accommodations that distinguish the space from office uses (as defined in Section 890.70), light manufacturing (as defined in Section 890.54(a)), or heavy manufacturing (including uses listed in 226(g) through 226(w)). Examples of laboratories include the following:

* * * *

(h) Core laboratory; and

1 (i) Cannabis testing (License Type 8—Testing laboratory, as defined in California Business
2 and Professions Code, Division 10).

3 **SEC. 890.54. LIGHT MANUFACTURING, WHOLESALE SALES, STORAGE.**

4 A commercial use, including light manufacturing, wholesale sales, and storage, as defined in
5 Subsections (a), (b), (c), and (d) below.

6 (a) **Light Manufacturing.** A nonretail use ~~which~~that provides for the fabrication or
7 production of goods, by hand or machinery, for distribution to retailers or wholesalers for
8 resale off the premises, primarily involving the assembly, packaging, repairing, or
9 processing of previously prepared materials, when conducted in an enclosed building having
10 no openings other than fixed windows or exits required by law located within 50 feet of any
11 R District. Light manufacturing uses include production and custom activities usually
12 involving individual or special design, or handiwork, such as the following fabrication or
13 production activities as may be defined by the Standard Industrial Classification Code Manual
14 as light manufacturing uses:

15 * * * *

16 (8) Measuring, analyzing, and controlling instruments; photographic, medical
17 and optical goods; watches and clocks; and

18 (9) Manufacture of cannabis products or cannabis extracts that are derived without
19 the use of volatile organic compounds (License Type 6—Manufacturer 1, as defined in California
20 Business and Professions Code, Division 10).

21 * * * *

22 (b) **Wholesale Sales.** A nonretail use ~~which~~that exclusively provides goods or
23 commodities for resale or business use, including accessory storage. This use includes
24 cannabis distribution (License Type 11—Distributor, as defined in California Business and
25 Professions Code, Division 10). It shall not include a nonaccessory storage warehouse.

1 * * * *

2 **SEC. 890.111. SERVICE, BUSINESS.**

3 A use ~~which~~that provides the following kinds of services to businesses and/or to the
4 general public and does not fall under the definition of "office" pursuant to Section 890.70:
5 radio and television stations; newspaper bureaus; magazine and trade publication
6 publishing; microfilm recording; slide duplicating; bulk mail services; parcel shipping
7 services; parcel labeling and packaging services; messenger delivery/courier services; sign
8 painting and lettering services; building maintenance services; and cannabis delivery services.

9 **SEC. 890.125. CANNABIS RETAIL.**

10 A Retail Sales and Service Use that sells or otherwise provides cannabis and cannabis-related
11 products for adult use, and that may also include the sale of cannabis for medicinal use. Cannabis
12 may be consumed on site pursuant to authorization by the City's Office of Cannabis and Department
13 of Public Health, as applicable. Cannabis Retail establishments may only be operated by the holder
14 of (a) a valid license from the State of California (License Type 10—Retailer, as defined in California
15 Business and Professions Code, Division 10) and (b) a valid permit from the City's Office of
16 Cannabis. This use is subject to operating and location restrictions set forth in Section 202.2(a).

17
18 Section 3. Repeal of Ordinance No. 186-17. The City enacted Ordinance No. 186-
19 17 on September 15, 2017. That ordinance, a copy of which is in Board of Supervisors File
20 No. 170516, is hereby repealed in its entirety.

21
22 Section 4. Alphabetization. In Article 7 Zoning Control Tables, the publisher of the
23 San Francisco Municipal Code shall place uses in alphabetical order within their respective
24 use categories.

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Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: 
VICTORIA WONG
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Cannabis Regulation]

Ordinance amending the Planning Code to 1) regulate cannabis land uses, including, among other things, adult use cannabis retail, Medical Cannabis Dispensaries, delivery-only services, manufacture of cannabis products, cannabis cultivation, and cannabis testing; 2) allow Medical Cannabis Dispensaries in additional zoning districts; 3) establish a land use process for the conversion of existing Medical Cannabis Dispensaries to Cannabis Retail establishments; 4) establish location and operating conditions for cannabis uses; 5) repeal Ordinance No. 186-17, which limited the number of medical cannabis dispensaries in Supervisorial District 11; and 6) delete superseded Planning Code provisions; 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 public necessity, convenience and welfare findings pursuant to Planning Code, Section 302.

Existing Law

On October 9, 2015, Governor Brown signed into law the Medical Marijuana Regulation and Safety Act ("MMRSA"), effective January 1, 2016, which established a comprehensive state licensing and regulatory framework for the cultivation, manufacturing, testing, distribution, transportation, dispensing, and delivery of medicinal cannabis, and which recognized the authority of local jurisdictions to prohibit or impose additional restrictions on commercial activities relating to medicinal cannabis. MMRSA was later renamed the Medical Cannabis Regulation and Safety Act ("MCRSA").

On November 8, 2016, the voters of California approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA), which decriminalized the nonmedicinal use of cannabis by adults 21 years of age and older, created a state regulatory, licensing, and taxation system for non-medicinal cannabis businesses, and reduced penalties for marijuana-related crimes.

On June 27, 2017, Governor Brown signed into law the Medicinal and Adult-Use Cannabis Regulations and Safety Act (MAUCRSA), which reconciled MCRSA and Proposition 64, and established a unified state regulatory scheme for commercial activities relating to both medicinal and adult use cannabis. Under MAUCRSA, businesses that engage in commercial cannabis activities will be required to obtain a state cannabis license and comply with strict operating conditions. MAUCRSA requires that state agencies begin issuing state cannabis business licenses by January 1, 2018.

Under MAUCRSA, local jurisdictions may adopt and enforce ordinances to further regulate cannabis businesses, including but not limited to zoning and permitting requirements.

Article 33 of the San Francisco Health Code, adopted in 2005, regulates medical cannabis, and authorizes the San Francisco Department of Public Health to oversee the permitting of medical cannabis dispensaries (MCDs).

Planning Code Section 202.2(e) sets forth location and operating restrictions for MCDs. MCDs are currently prohibited in PDR zoning districts and certain other districts, including some Neighborhood Commercial Districts. (See generally Planning Code, Art. 7.) MCDs are also prohibited in Mixed-Use zoning districts. (See generally Planning Code, Art. 8.) In most Neighborhood Commercial Transit Districts and Neighborhood Commercial Districts, MCDs are allowed on the first floor, subject to Mandatory Discretionary Review by the Planning Commission. (See generally Planning Code, Art. 7.)

Ordinance No. 186-17, enacted on September 15, 2017, creates a limit of three MCDs in Supervisorial District 11.

Currently, there is no City law that authorizes and regulates commercial activities relating to non-medical cannabis. There is also no City law that authorizes and regulates the commercial manufacture, testing, or distribution of cannabis.

Article XXVI of the Administrative Code establishes an Office of Cannabis under the direction of the City Administrator, and authorizes the Director of the Office of Cannabis to issue permits to cannabis-related businesses, and to collect permit application and annual license fees following the enactment of a subsequent ordinance establishing the amounts of those fees.

Amendments to Current Law

This ordinance would change the zoning controls for MCDs. Among other things, it would permit MCDs in some Neighborhood Commercial Districts in which they are currently prohibited, subject to Mandatory Discretionary Review by the Planning Commission. It would also permit MCDs on the second floor of most Neighborhood Commercial Districts, subject to Mandatory Discretionary Review, and would make MCDs in PDR Zoning Districts and most Mixed Use Districts a principally permitted use.

This ordinance would also regulate Cannabis Retail as a distinct land use. It would generally permit Cannabis Retail where other retail is permitted. In Neighborhood Commercial Districts, Cannabis Retail uses would be subject to a conditional use authorization. Cannabis Retail as an accessory use would be permitted only where the Office of Cannabis has issued a permit to the Cannabis Retail establishment to operate accessory to another activity on the same premises. The ordinance would also establish a land use process for the conversion of existing MCDs to Cannabis Retail establishments.

In addition, this ordinance would establish location and operating provisions for MCDs, Cannabis Retail establishments, and other cannabis businesses. Among other things, it would prohibit a Cannabis Retail use or MCD from locating within 600 feet of a school, public or private. It would not require a minimum distance between a Cannabis Retail use or MCD and a day care center or youth center.

In addition, this ordinance would create land use regulations for the cultivation, delivery and testing of cannabis and the manufacture of cannabis products.

This ordinance would also repeal Ordinance No. 186-17, which limited the number of MCDs in Supervisorial District 11 to three.

Background Information

In 2015, the City enacted Ordinance No. 115-15, creating the San Francisco Cannabis State Legalization Task Force (“the Task Force”) to advise the Board of Supervisors, the Mayor, and other City departments on matters relating to the potential legalization of non-medical cannabis. In December 2016, the Task Force submitted its Year I Report, and made recommendations related to Public Safety and Social Environment, Land Use and Social Justice, and Regulation and City Agency Framework for the City’s policymakers to consider.

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