

1 [Planning Code, Zoning Map - Establishing the Divisadero Street Neighborhood Commercial
2 District]

3 **Ordinance amending the Planning Code to establish the Divisadero Street**
4 **Neighborhood Commercial District (NCD), along Divisadero Street between Haight and**
5 **O'Farrell Streets; repeal the Divisadero Street Alcohol Restricted Use District (RUD);**
6 **amend various other sections to make conforming and other technical changes;**
7 **amending the Zoning Map to add the Divisadero Street NCD and delete the Divisadero**
8 **Street RUD; and adopting environmental findings, Planning Code, Section 302,**
9 **findings, and findings of consistency with the General Plan and the priority policies of**
10 **Planning Code, Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are ~~*strike-through italics Times New Roman*~~.
13 Board amendment additions are double-underlined;
14 Board amendment deletions are ~~strike-through normal~~.
15 Ellipses indicate text that is omitted but unchanged.

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

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. 120796 and is incorporated herein by reference.

22 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
23 amendments will serve the public necessity, convenience and welfare for the reasons set forth
24 in Planning Commission Resolution No. 18906 and the Board hereby incorporates such
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1 reasons herein by reference. A copy of Planning Commission Resolution No. 18906 is on file
2 with the Clerk of the Board of Supervisors in File No. 120796.

3 (c) This Board finds that these Planning Code amendments are consistent with the
4 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
5 forth in Planning Commission Resolution No. 18906, and the Board hereby incorporates such
6 reasons herein by reference.

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8 Section 2. The San Francisco Planning Code is hereby amended by adding Section
9 743.1, to read as follows:

10 **SEC. 743.1. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

11 The Divisadero Street Neighborhood Commercial District extends along Divisadero Street
12 between Haight and O'Farrell Streets. Divisadero Street's dense mixed-use character consists of
13 buildings with residential units above ground-story commercial use. Buildings typically range in height
14 from two to four stories with occasional one-story commercial buildings. The district has an active and
15 continuous commercial frontage along Divisadero Street for most of its length. Divisadero Street is an
16 important public transit corridor and throughway street. The commercial district provides convenience
17 goods and services to the surrounding neighborhoods as well as limited comparison shopping goods
18 for a wider market.

19 The Divisadero Street Neighborhood Commercial District controls are designed to encourage
20 and promote development that enhances the walkable, mixed-use character of the corridor and
21 surrounding neighborhoods. Rear yard requirements above the ground story and at residential levels
22 preserve open space corridors of interior blocks. Housing development in new buildings is encouraged
23 above the ground story. Existing residential units are protected by limitations on demolition and upper-
24 story conversions.

Consistent with Divisadero Street's existing mixed-use character, new commercial development is permitted at the ground and second stories. Most neighborhood-serving businesses are strongly encouraged however new Formula Retail uses are prohibited. Eating and Drinking and Entertainment uses are confined to the ground story. The second story may be used by some retail stores, personal services, and medical, business and professional offices. Additional flexibility is offered for second-floor Eating and Drinking, Entertainment, and Trade Shop uses in existing non-residential buildings to encourage the preservation and reuse of such buildings. Hotels are monitored at all stories. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous retail frontage.

SEC. 743. DIVISADERO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

			<u>Divisadero Street</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>743.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250 - 252, 260, 261.1, 263.20, 270, 271</u>	<u>Generally, 65-X, and 40-X south of Oak Street; see Zoning Map. Height Sculpting on Alleys; § 261.1. Additional 5 feet in height allowed for parcels in the 40-X and 50-X height district with active uses; see § 263.20</u>
<u>743.11</u>	<u>Lot Size</u> <u>[Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.; C 10,000 sq. ft. & above</u>
<u>743.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>Required at the second story</u>

			<i>and above and at all residential levels § 134(a) and (e)</i>
743.13	<u>Street Frontage</u>	<u>§ 145.1</u>	<u>Required</u>
743.14	<u>Awning</u>	<u>§ 136.1(a)</u>	<u>P</u>
743.15	<u>Canopy</u>	<u>§ 136.1(b)</u>	<u>P</u>
743.16	<u>Marquee</u>	<u>§ 136.1(c)</u>	<u>P</u>
743.17	<u>Streetscape and Pedestrian Improvements</u>	<u>§ 138.1</u>	<u>Required</u>
<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
743.20	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>2.5 to 1</u> <u>§ 124(a) and (b)</u>
743.21	<u>Use Size</u> <u>[Non-Residential]</u>	<u>§ 790.130, § 121.2</u>	<u>P up to 3,999 sq. ft.;</u> <u>C 4,000 sq. ft. & above</u>
743.22	<u>Off-Street Parking, Non-residential</u>	<u>§§ 145.1, 150, 151.1, 153 - 157, 159 - 160, 204.5</u>	<u>None required. Maximum permitted as set forth in Section 151.1</u>
743.23	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153 - 155, 204.5, 152, 161(b)</u>	<u>Generally, none required if gross floor area is less than</u>

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			<u>10,000 sq. ft.</u>		
<u>743.24</u>	<u>Outdoor Activity Area</u>	<u>§§ 790.70, 145.2(a)</u>	<u>P if located in front; C if located elsewhere</u>		
<u>743.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>			
<u>743.26</u>	<u>Walk-Up Facility</u>	<u>§§ 790.140, 145.2(b)</u>	<u>P if recessed 3 ft.;</u> <u>C if not recessed</u>		
<u>743.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 2 a.m.;</u> <u>C 2 a.m. - 6 a.m.</u>		
<u>743.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602 - 604, 608, 609</u>			
<u>743.31</u>	<u>Business Sign</u>	<u>§§ 262, 602 - 604, 607.1(f)(2), 608, 609</u>	<u>P</u>		
<u>743.32</u>	<u>Other Signs</u>	<u>§§ 262, 602 - 604, 607.1(c), (d), and (g), 608, 609</u>	<u>P</u>		
			<u>Divisadero Street</u>		
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls by Story</u>		
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
<u>743.38</u>	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>P</u>	<u>C</u>	
<u>743.39</u>	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Retail Sales and Services</u>					
<u>743.40</u>	<u>Other Retail Sales and Services</u> <u>[Not Listed Below]</u>	<u>§ 790.102</u>	<u>P#</u>	<u>P#</u>	

1	<u>743.41</u>	<u>Bar</u>	<u>§ 790.22</u>	<u>P</u>	<u>P #</u>	
2	<u>743.43</u>	<u>Limited-Restaurant</u>	<u>§ 790.90</u>	<u>P</u>	<u>P #</u>	
3	<u>743.44</u>	<u>Restaurant</u>	<u>§ 790.91</u>	<u>P</u>	<u>P #</u>	
4	<u>743.45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>	<u>NP #</u>		
5	<u>743.46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>	<u>P</u>	<u>P #</u>	
6	<u>743.47</u>	<u>Adult Entertainment</u>	<u>§ 790.36</u>			
7	<u>743.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>	<u>P</u>	<u>P #</u>	
8	<u>743.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>C</u>		
9	<u>743.50</u>	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>		
10	<u>743.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>P</u>	<u>P</u>	
11	<u>743.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>P</u>	
12	<u>743.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>P</u>	
13	<u>743.54</u>	<u>Massage Establishment</u>	<u>§ 790.60</u>	<u>C</u>		
14			<u>§ 1900 Health Code</u>			
15	<u>743.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>	<u>C</u>	<u>C</u>	<u>C</u>
16	<u>743.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 145.1, 156, 160</u>	<u>C</u>		
17	<u>743.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>	<u>C</u>		
18	<u>743.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>	<u>C</u>		
19	<u>743.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
20	<u>743.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
21	<u>743.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
22	<u>743.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>	<u>C</u>		
23	<u>743.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
24	<u>743.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			

1	<u>743.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>P</u>	<u>P #</u>	
2	<u>743.66</u>	<u>Storage</u>	<u>§ 790.117</u>	-	-	
3	<u>743.68</u>	<u>Fringe Financial Service</u>	<u>§ 790.111</u>	<u>NP #</u>		
4	<u>743.69</u>	<u>Tobacco Paraphernalia</u>	<u>§ 790.123</u>	<u>C</u>		
5		<u>Establishments</u>				
6	<u>743.69B</u>	<u>Amusement Game Arcade</u>	<u>§ 790.4</u>	<u>C</u>		
7		<u>(Mechanical Amusement Devices)</u>				
8	<u>743.69C</u>	<u>Neighborhood Agriculture</u>	<u>§ 102.35(a)</u>	<u>P</u>	<u>P</u>	<u>P</u>
9	<u>743.69D</u>	<u>Large-Scale Urban Agriculture</u>	<u>§ 102.35(b)</u>	<u>C</u>	<u>C</u>	<u>C</u>
10	<u>Institutions and Non-Retail Sales and Services</u>					
11	<u>743.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>	-	-	
12	<u>743.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>	-	-	
13	<u>743.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>	<u>P</u>	<u>C</u>	<u>C</u>
14	<u>743.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>P</u>	<u>P</u>	<u>P</u>
15	<u>743.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>	<u>C</u>	<u>C</u>
16	<u>743.84</u>	<u>Medical Cannabis Dispensary</u>	<u>§ 790.141</u>	<u>P #</u>	-	
17	<u>743.85</u>	<u>Philanthropic Administrative</u>	<u>§ 790.107</u>		<u>P #</u>	
18		<u>Service</u>				
19	<u>RESIDENTIAL STANDARDS AND USES</u>					
20	<u>743.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
21	<u>743.91</u>	<u>Residential Density, Dwelling</u>	<u>§§ 207, 207.1, 207.4,</u>	<u>Generally, 1 unit per 800 sq.</u>		
22		<u>Units</u>	<u>790.88(a)</u>	<u>ft. lot area</u>		
23	<u>743.92</u>	<u>Residential Density, Group</u>	<u>§§ 207.1, 208, 790.88(b)</u>	<u>Generally, 1 bedroom per 275</u>		
24		<u>Housing</u>		<u>sq. ft. lot area</u>		
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1	<u>743.93</u>	<u>Usable Open Space</u>	<u> §§ 135, 136</u>	<u>Generally, either 100 sq. ft. if</u>
2		<u>[Per Residential Unit]</u>		<u>private, or 133 sq. ft. if</u>
3				<u>common § 135(d)</u>
4	<u>743.94</u>	<u>Off-Street Parking, Residential</u>	<u> §§ 150, 151.1, 153 - 157,</u>	<u>None required. P up to .5 cars</u>
5			<u>159 - 160</u>	<u>per unit, C up to .75 cars per</u>
6				<u>unit, NP above</u>
7	<u>743.95</u>	<u>Community Residential Parking</u>	<u> § 790.10</u>	<u>C</u>

**SPECIFIC PROVISIONS FOR THE DIVISADERO STREET
NEIGHBORHOOD COMMERCIAL DISTRICT**

<u>Article 7</u>	<u>Other Code</u>	<u>Zoning Controls</u>
<u>Code</u>	<u>Section</u>	
<u>Section</u>		
<u>743.41</u>		<u>A Bar, Restaurant, Limited-Restaurant, Movie Theater, Other</u>
<u>743.43</u>		<u>Entertainment, Trade Shop, or Philanthropic Administrative Service use is</u>
<u>743.44</u>		<u>permitted on the Second Story of existing buildings which have had no</u>
<u>743.46</u>		<u>immediately prior second-story Residential Use.</u>
<u>743.48</u>		
<u>743.65</u>		
<u>743.85</u>		
<u>§ 743.40</u>		<u>(a) Liquor Stores are not permitted within the Divisadero Street NCD.</u>
<u>§ 743.45</u>		<u>Liquor Store uses which become inactive for more than 180 days may not</u>
		<u>be reestablished. A lawfully existing Liquor Store may relocate within the</u>
		<u>district with Conditional Use authorization;</u>
		<u>(b) Liquor Stores, General Grocery Stores, and Specialty Grocery Stores</u>
		<u>shall comply with the following Good Neighbor requirements:</u>
		<u>(1) The business operator shall maintain the main entrance to the</u>

		<p><i>building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.</i></p> <p><i>For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works.</i></p> <p><i>(2) The business operator shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain security, without disturbing area residences.</i></p> <p><i>(3) No more than one-third of the square footage of the windows and clear doors of the business shall bear advertising or signage of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.</i></p>
§ 743.68	§ 249.35	<p><u>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</u></p> <p><u>Boundaries:</u> <i>The FFSRUD and its 1/4 mile buffer includes, but is not limited to, properties within the Divisadero Street NCD.</i></p> <p><u>Controls:</u> <i>Within the FFSRUD and its 1/4 mile buffer, fringe financial</i></p>

		<i>services are NP pursuant to Section 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in Subsection 249.35(c)(3).</i>
<u>§ 743.84</u> §	<u>790.141</u> <u>Health</u> <u>Code § 3308</u>	<u>Medical Cannabis Dispensaries may only operate between the hours of 8 a.m. and 10 p.m.</u>

Section 3. The San Francisco Planning Code is hereby amended by repealing Section 783, as follows:

~~SEC. 783. DIVISADERO STREET ALCOHOL RESTRICTED USE DISTRICT ESTABLISHED.~~

~~There are an unusually large number of establishments dispensing alcoholic beverages, including beer and wine, for off-site consumption in the Small-Scale Neighborhood Commercial District along Divisadero Street between Haight and Geary Streets. The existence of this many alcoholic beverage establishments appears to contribute directly to numerous peace, health, safety and general welfare problems in the area, including loitering, littering, public drunkenness, defacement and damaging of structures, pedestrian obstructions, as well as traffic circulation, parking and noise problems on public streets and neighborhood lots. The existence of such problems creates serious impacts on the health, safety and welfare of residents of nearby single and multiple family areas, including fear for the safety of children, elderly residents and of visitors to the area. The problems also contribute to the deterioration of the neighborhood and concomitant devaluation of property and destruction of community values and quality of life. The number of establishments selling alcoholic beverages and the associated problems discourage more desirable and needed commercial uses in the area.~~

~~(a) In order to preserve the residential character and the neighborhood-serving commercial uses of the area, the Divisadero Street Alcohol Restricted Use District (Divisadero Street Alcohol~~

1 ~~RUD) is hereby established for the properties in the Small-Scale Neighborhood Commercial District~~
2 ~~along Divisadero Street between Haight and Geary Streets, as designated on Sectional Map numbers 2~~
3 ~~and 7. The Divisadero Street Alcohol RUD is designated on Sectional Map Numbers 2SU and 8SU.~~

4 ~~(1) No new off-sale liquor establishments shall be permitted in the Divisadero Street~~
5 ~~Alcohol RUD.~~

6 ~~(2) The prohibition on Liquor Establishments shall not be interpreted to prohibit the~~
7 ~~following:~~

8 ~~(A) Temporary uses, as described in Planning Code Section 205.1 or 205.3; or~~

9 ~~(B) Establishment of a Liquor Establishment if an application for such Liquor~~
10 ~~Establishment is on file with the California Department of Alcoholic Beverage Control prior to the~~
11 ~~effective date of legislation establishing the Divisadero Street Alcohol RUD.~~

12 ~~(C) Re-location of an existing liquor establishment from outside the Divisadero~~
13 ~~Street Alcohol RUD to a location within the Divisadero Street Alcohol RUD if that liquor establishment~~
14 ~~received conditional use authorization from the City Planning Commission prior to the effective date of~~
15 ~~this legislation.~~

16 ~~(3) Continuation of Existing Prohibited Liquor Establishments. In the Divisadero~~
17 ~~Street Alcohol RUD, any Prohibited Liquor Establishment may continue in accordance with Planning~~
18 ~~Code Section 180 through 186.2, subject to the following provisions:~~

19 ~~(A) A Prohibited Liquor Establishment lawfully existing and selling alcoholic~~
20 ~~beverages as licensed by the State of California prior to the effective date of this legislation, or~~
21 ~~subsequent legislation prohibiting that type of Liquor Establishment, so long as otherwise lawful, may~~
22 ~~continue to operate only under the following conditions, as provided by California Business and~~
23 ~~Professions Code Section 23790;~~

24 ~~(1) Except as provided by Subsection (B) below, the premises shall retain~~
25 ~~the same type of retail liquor license within a license classification; and~~

1 ~~(2) Except as provided by Subsection (B) below, the licensed premises~~
2 ~~shall be operated continuously, without substantial change in mode or character of operation.~~

3 ~~(B) A break in continuous operation shall not be interpreted to include the~~
4 ~~following, provided that the location of the establishment does not change, the square footage used for~~
5 ~~the sale of alcoholic beverages does not increase, and the type of California Department of Alcoholic~~
6 ~~Beverage Control Liquor License ("ABC License") does not change except as indicated:~~

7 ~~(1) A change in ownership of a Prohibited Liquor Establishment or an~~
8 ~~owner to owner transfer of an ABC License; or~~

9 ~~(2) Re-establishment, restoration or repair of an existing Prohibited~~
10 ~~Liquor Establishment on the same lot after total or partial destruction or damage due to fire, riot,~~
11 ~~insurrection, toxic accident or act of God; or~~

12 ~~(3) Temporary closure of an existing Prohibited Liquor Establishment~~
13 ~~for not more than ninety (90) days for repair, renovation or remodeling;~~

14 ~~(4) Re-location of an existing Prohibited Liquor Establishment in the~~
15 ~~Divisadero Street Alcohol RUD to another location within the same Divisadero Street Alcohol RUD~~
16 ~~with conditional use authorization from the City Planning Commission, provided that the original~~
17 ~~premises shall not be occupied by a Prohibited Liquor Establishment, unless by another Prohibited~~
18 ~~Liquor Establishment that is also relocating from with the Divisadero Street Alcohol RUD.~~

19 ~~(b) The following shall apply to all liquor establishments in the Divisadero Street Alcohol RUD~~
20 ~~in order to maintain the safety of the premises and vicinity:~~

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

24 ~~(2) No more than 33 percent of the square footage of the windows and clear doors of~~
25 ~~Liquor establishments shall bear advertising or signage of any sort, and all advertising and signage~~

1 *shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear*
2 *and unobstructed view of the interior of the premises, including the area in which the cash registers are*
3 *maintained, from the exterior public sidewalk or entrance to the premises. This requirement shall not*
4 *apply to premises where there are no windows, or where existing windows are located at a height that*
5 *precludes a view of the interior of the premises to a person standing outside the premises.*

6 ***(c) Definitions.***

7 *(1) A "liquor establishment" shall mean any enterprise selling alcoholic beverages, as*
8 *defined by California Business and Professions Code Section 23004 and 23025, pursuant to a*
9 *California Alcoholic Beverage Control Board license.*

10 *(2) An "off-sale liquor establishment" shall mean any establishment that is defined in*
11 *Section 790.55 of this Code.*

12 *(3) A "prohibited liquor establishment" shall mean any establishment selling alcoholic*
13 *beverages lawfully existing prior to the effective date of the establishment of the Divisadero Street*
14 *Alcohol RUD and licensed by the State of California for the retail sale of alcoholic beverages for off-*
15 *site consumption, so long as otherwise lawful.*

16 *(d) Fringe Financial Services. In addition to all other applicable controls set forth in this Code,*
17 *properties in the Divisadero Street Alcohol Restricted Use District are within the Fringe Financial*
18 *Service Restricted Use District established by Section 249.35 and are subject to the controls and*
19 *exemptions set forth in Section 249.35.*

20
21 Section 4. The San Francisco Planning Code is hereby amended by amending Table
22 135A, Section 151.1 and a portion of Table 151.1, Section 201, Section 207.4, Section 207.5,
23 Section 263.20, Section 303(i), Section 607.1(f), Section 702.1, Section 702.3, the Zoning
24 Control Tables in Sections 711, 739, 740, 810 and 811, and Section 790.55, to read as
25 follows:

**TABLE 135A
MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING
OUTSIDE THE EASTERN NEIGHBORHOODS MIXED USE DISTRICT**

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1, RTO, RTO-M	100	1.33
RM-2, RC-2, SPD	80	1.33
RM-3, RC-3, RED	60	1.33
RM-4, RC-4, RSD	36	1.33
C-3, C-M, SLR, SLI, SSO, M-1, M-2	36	1.33
C-1, C-2	Same as for the R District establishing the dwelling unit density ratio for the C-1 or C-2 District property	

1	<i>Neighborhood Commercial</i>	<i>See the Zoning Control Table for</i>	<i>1.33</i>
2	<i>General Area Districts,</i>	<i>the District</i>	
3	<i>Neighborhood Commercial</i>	<i>100</i>	
4	<i>Transit Districts, Named</i>		
5	<i>Neighborhood Commercial</i>		
6	<i>General Area Districts, and</i>		
7	<i>Named Neighborhood</i>		
8	<i>Commercial Transit</i>		
9	<i>Districts established in</i>		
10	<i>Article 7 NC-1, NC-2, NCT-</i>		
11	<i>1, NCT-2, NC-S, Inner</i>		
12	<i>Sunset, Sacramento Street,</i>		
13	<i>West Portal Avenue, Ocean</i>		
14	<i>Avenue, Glen Park</i>		
15	<i>NC-3, Castro Street, Inner</i>	<i>See the Zoning Control Table for</i>	<i>1.33</i>
16	<i>Clement Street, Outer</i>	<i>the District</i>	
17	<i>Clement Street, Upper</i>	<i>80</i>	
18	<i>Fillmore Street, Haight</i>		
19	<i>Street, Union Street,</i>		
20	<i>Valencia Street, 24th Street-</i>		
21	<i>Mission, 24th Street-Noe</i>		
22	<i>Valley, NCT-3, SoMa,</i>		
23	<i>Mission Street</i>		
24	<i>Broadway, Hayes-Gough,</i>	<i>60</i>	<i>1.33</i>
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1	<i>Upper Market Street, North</i>		
2	<i>Beach, Polk Street</i>		
3	<i>Mixed Use Districts</i>	48	1.00
4	<i>established in Article 8</i>		
5	<i>Chinatown Community</i>		
6	<i>Business, Chinatown</i>		
7	<i>Residential Neighborhood</i>		
8	<i>Commercial,</i>		
9	<i>Chinatown Visitor Retail</i>		
10			
11	DTR	This table not applicable. 75 square feet per dwelling. See Sec.	
12		135(d)(4).	

13 **SEC. 151.1. SCHEDULE OF PERMITTED OFF-STREET PARKING SPACES IN**
14 **SPECIFIED DISTRICTS.**

15 (a) **Applicability.** This subsection shall apply only to *DTR*, NCT, RC, Upper Market
16 NCD, RTO, Eastern Neighborhood Mixed Use, South of Market Mixed Use, M-1, PDR-1-D, and
17 PDR-1-G, C-M, or C-3 Districts, and to the Broadway, Divisadero Street, North Beach, and Upper
18 Market Neighborhood Commercial Districts.

19 (b) **Controls.** Off-street accessory parking shall not be required for any use, and the
20 quantities of off-street parking specified in Table 151.1 shall serve as the maximum amount of
21 off-street parking that may be provided as accessory to the uses specified. For non-residential
22 and non-office uses in the UMU, PDR-1-D, and PDR-1-G Districts, the maximum amount of
23 off-street parking that may be provided as accessory shall be no more than 50% greater than
24 that indicated in Table 151.1. Variances from accessory off-street parking limits, as described
25 in this Section, may not be granted. Where off-street parking is provided that exceeds the

1 quantities specified in Table 151.1 or as explicitly permitted by this Section, such parking shall
2 be classified not as accessory parking but as either a principally permitted or conditional use,
3 depending upon the use provisions applicable to the district in which the parking is located. In
4 considering an application for a conditional use for any such parking due to the amount being
5 provided, the Planning Commission shall consider the criteria set forth in Section 157 and
6 157.1 of this Code.

7 (c) **Definition.** Where a number or ratio of spaces are described in Table 151.1, such
8 number or ratio shall refer to the total number of parked cars accommodated in the project
9 proposal, regardless of the arrangement of parking, and shall include all spaces accessed by
10 mechanical means, valet, or non-independently accessible means. For the purposes of
11 determining the total number of cars parked, the area of an individual parking space, except
12 for those spaces specifically designated for persons with physical disabilities, may not exceed
13 185 square feet, including spaces in tandem, or in parking lifts, elevators or other means of
14 vertical stacking. Any off-street surface area accessible to motor vehicles with a width of 7.5
15 feet and a length of 17 feet (127.5 square feet) not otherwise designated on plans as a
16 parking space may be considered and counted as an off-street parking space at the discretion
17 of the Zoning Administrator if the Zoning Administrator, in considering the possibility for
18 tandem and valet arrangements, determines that such area is likely to be used for parking a
19 vehicle on a regular basis and that such area is not necessary for the exclusive purpose of
20 vehicular circulation to the parking or loading facilities otherwise permitted.

21 (d) **Car-Share Parking.** Any off-street parking space dedicated for use as a car-share
22 parking space, as defined in Section 166, shall not be credited toward the total parking
23 permitted as accessory in this Section.

Table 151.1

OFF-STREET PARKING PERMITTED AS ACCESSORY

Use or Activity	Number of Off-Street Car Parking Spaces or Space Devoted to Off-Street Car Parking Permitted
<p>***</p> <p>Dwelling units and SRO units in NCT, <u>RC</u>, C-M, RSD, and SLR <i>Districts</i>, <i>and Chinatown Mixed Use Districts</i>, <i>and the Broadway Divisadero, North Beach</i>, and the Upper Market <i>NCD Neighborhood Commercial Districts</i>, except as specified below</p> <p>***</p>	<p>P up to one car for each two dwelling units; C up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); NP above 0.75 cars for each dwelling unit.</p>

SEC. 201. CLASSES OF USE DISTRICTS.

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

<p>Public Use (<u>P</u>) Districts (<i>P</i>) <i>(Defined in Sec. 234)</i></p>	
<p>Residential (<u>R</u>) Districts <i>(Defined in Sec. 206)</i></p>	
<p>RH-1(D)</p>	<p>Residential, House Districts, One-Family (Detached Dwellings) <i>(Defined in Sec. 206.1)</i></p>

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RH-1	Residential, House Districts, One-Family (<i>Defined in Sec. 206.1</i>)
RH-1(S)	Residential, House Districts, One-Family with Minor Second Unit (<i>Defined in Sec. 206.1</i>)
RH-2	Residential, House Districts, Two-Family (<i>Defined in Sec. 206.1</i>)
RH-3	Residential, House Districts, Three-Family (<i>Defined in Sec. 206.1</i>)
RM-1	Residential, Mixed Districts, Low Density (<i>Defined in Sec. 206.1</i>)
RM-2	Residential, Mixed Districts, Moderate Density (<i>Defined in Sec. 206.1</i>)
RM-3	Residential, Mixed Districts, Medium Density (<i>Defined in Sec. 206.3</i>)
RM-4	Residential, Mixed Districts, High Density (<i>Defined in Sec. 206.3</i>)
RTO	Residential, Transit-Oriented Neighborhood

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	Districts (<i>Defined in Sec. 206.4</i>)
RTO-M	Residential, Transit-Oriented – Mission Neighborhood Districts (<i>Defined in Sec. 206.5</i>)
Residential-Commercial Districts (RC)	
RC-3	Residential-Commercial Districts, Medium Density (<i>Defined in Sec. 206.3</i>)
RC-4	Residential-Commercial Districts, High Density (<i>Defined in Sec. 206.4</i>)

Neighborhood Commercial Districts (NC) (Also see Article 7) General Area <u>Neighborhood Commercial</u> Districts (<i>Defined in Sec. 702.1</i>)	
NC-1	Neighborhood Commercial Cluster District (<i>Defined in Sec. 710.1</i>)
NC-2	Small-Scale Neighborhood Commercial District (<i>Defined in Sec. 711.1</i>)
NC-3	Moderate-Scale Neighborhood Commercial

	District (<i>Defined in Sec. 712.1</i>)
NC-S	Neighborhood Commercial Shopping Center District (<i>Defined in Sec. 713.1</i>)

<i>Named Neighborhood Commercial Individual Area Districts</i>	
Broadway Neighborhood Commercial District (<i>Defined in Sec. 714.1</i>)	
Castro Street Neighborhood Commercial District (<i>Defined in Sec. 715.1</i>)	
Inner Clement Street Neighborhood Commercial District (<i>Defined in Sec. 716.1</i>)	
Outer Clement Street Neighborhood Commercial District (<i>Defined in Sec. 717.1</i>)	
Upper Fillmore Street Neighborhood Commercial District (<i>Defined in Sec. 718.1</i>)	
Haight Street Neighborhood Commercial District (<i>Defined in Sec. 719.1</i>)	
Inner Sunset Neighborhood Commercial District (<i>Defined in</i>	

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<u>Sec. 730.1)</u>
Upper Market Street Neighborhood Commercial District <i>(Defined in Sec. 721.1)</i>
North Beach Neighborhood Commercial District <i>(Defined in Sec. 722.1)</i>
Pacific Avenue Neighborhood Commercial District <i>(Defined in Sec. 723.1)</i>
Polk Street Neighborhood Commercial District <i>(Defined in Sec. 723.1)</i>
Sacramento Street Neighborhood Commercial District <i>(Defined in Sec. 724.1)</i>
Union Street Neighborhood Commercial District <i>(Defined in Sec. 725.1)</i>
24th Street-Noe Valley Neighborhood Commercial District <i>(Defined in Sec. 728.1)</i>
West Portal Avenue Neighborhood Commercial District <i>(Defined in Sec. 729.1)</i>

1	<i><u>Noriega Street Neighborhood Commercial District (Defined in</u></i>
2	<i><u>Sec. 739.1)</u></i>
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4	<i><u>Irving Street Neighborhood Commercial District (Defined in Sec.</u></i>
5	<i><u>740.1)</u></i>
6	
7	<i><u>Taraval Street Neighborhood Commercial District (Defined in</u></i>
8	<i><u>Sec. 741.1)</u></i>
9	
10	<i><u>Judah Street Neighborhood Commercial District (Defined in Sec.</u></i>
11	<i><u>742.1)</u></i>
12	
13	<i><u>Divisadero Street Neighborhood Commercial District (Defined in</u></i>
14	<i><u>Sec. 743.1)</u></i>

<p align="center">Neighborhood Commercial Transit Districts (NCT) <i>(Defined in Sec. 702.1)</i></p>	
NCT-1	Neighborhood Commercial Transit Cluster District <i>(Defined in Sec. 733A.1)</i>
NCT-2	Small-Scale Neighborhood Commercial Transit District <i>(Defined in Sec. 734.1)</i>
NCT-3	Moderate Scale Neighborhood Commercial Transit District <i>(Defined in Sec. 731.1)</i>

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<p style="text-align: center;"><i>Individual Area Named Neighborhood Commercial</i> Transit (NCT) Districts <i>(Defined in Sec. 702.1)</i></p>
<p style="text-align: center;">Hayes-Gough NCT <i>(Defined in Sec. 720.1)</i></p>
<p style="text-align: center;">Upper Market Street NCT <i>(Defined in Sec. 733.1)</i></p>
<p style="text-align: center;">Valencia Street NCT <i>(Defined in Sec. 726.1)</i></p>
<p style="text-align: center;">24th Street - Mission NCT <i>(Defined in Sec. 727.1)</i></p>
<p style="text-align: center;">Mission Street NCT <i>(Defined in Sec. 736.1)</i></p>
<p style="text-align: center;">SoMa NCT <i>(Defined in Sec. 735.1)</i></p>
<p style="text-align: center;">Ocean Avenue NCT <i>(Defined in Sec. 737.1)</i></p>
<p style="text-align: center;">Glen Park NCT <i>(Defined in Sec. 738.1)</i></p>
<p style="text-align: center;">Neighborhood Commercial Special Use Districts <i>(Defined in Sec. 702.2)</i></p>
<p style="text-align: center;">Lakeshore Plaza Special Use District <i>(Defined in Sec. 780.2)</i></p>
<p style="text-align: center;">Bayshore-Hester Special Use District <i>(Defined in Sec. 780.2)</i></p>

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<i>North Beach Special Use District (Defined in Sec. 780.3)</i>
Mission-Harrington Special Use District <i>(Defined in Sec. 780.4)</i>
<i>North Beach Special Use District</i>
1800 Market Community Center Project Special Use District <i>(Defined in Sec. 787)</i>

Neighborhood Commercial Restricted Use Districts <u>and</u> Subdistricts <i>(Defined in Sec. 781)</i>
Taraval Street Restaurant Subdistrict <i>(Defined in Sec. 781.1)</i>
Irving Street Restaurant Subdistrict <i>(Defined in Sec. 781.2)</i>
Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict <i>(Defined in Sec. 781.4)</i>
Mission Street Formula Retail Restaurant Subdistrict <i>(Defined in Sec. 781.5)</i>
North Beach Financial Service, Limited Financial Service,

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and Business or Professional Service Subdistrict (<i>Defined in Sec. 781.6</i>)
Chestnut Street Financial Subdistrict (<i>Defined in Sec. 781.7</i>)
<i>Mission Alcoholic Beverage Special Use Subdistrict (Defined in Sec. 781.8)</i>
<i>Haight Street Alcohol Special Use Subdistrict (Defined in Sec. 781.9)</i>
<i>17th and Rhode Island Street Grocery Store Special Use Subdistrict (Defined in Sec. 781.10)</i>
Third Street Alcohol Restricted Use District (<i>Defined in Sec. 782</i>)
<i>Divisadero Street Alcohol Restricted Use District</i>
Lower Haight Street Alcohol Restricted Use District (<i>Defined in Sec. 784</i>)
Excelsior Alcohol Restricted Use District (<i>Defined in Sec. 785</i>)
<i>Lower Haight Street Tobacco Paraphernalia Restricted Use District</i>

1 Fringe Financial Service Restricted Use District (*Defined in*
 2 *Sec. 249.35*)
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4 Commercial (C) Districts (C)	
5 C-2	6 Community Business Districts (<i>Defined in</i> 7 <i>Sec. 210.2</i>)
8 C-M	9 Heavy Commercial Districts (<i>Defined in</i> 10 <i>Sec. 210.4</i>)
11 C-3-O	12 Downtown Office District (<i>Defined in Sec.</i> 13 <i>210.3</i>)
14 C-3-O(SD)	15 Downtown Office Special Development 16 District (<i>Defined in Sec. 210.3</i>)
17 C-3-R	18 Downtown Retail District (<i>Defined in Sec.</i> 19 <i>210.3</i>)
20 C-3-G	21 Downtown General Commercial District 22 (<i>Defined in Sec. 210.3</i>)
23 C-3-S	24 Downtown Support District (<i>Defined in Sec.</i> 25 <i>210.3</i>)

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Industrial Districts (<i>Defined in Sec. 210 and Sec. 802.4</i>)	
M-1	Light Industrial Districts (<i>Defined in Sec. 210.5</i>)
M-2	Heavy Industrial Districts (<i>Defined in Sec. 210.6</i>)
<u>Production Distribution Repair (PDR) Districts</u> (<i>Defined in Sec. 210.7</i>)	
PDR-1-B	Production Distribution and Repair - Light Industrial Buffer (<i>Defined in Sec. 210.8</i>)
PDR-1-D	Production Distribution and Repair – Design (<i>Defined in Sec. 210.9</i>)
PDR-1-G	Production Distribution and Repair – General (<i>Defined in Sec. 210.10</i>)
PDR-2	Core Production Distribution and Repair – Bayview (<i>Defined in Sec. 210.11</i>)
Chinatown Mixed Use Districts (Also see Article 8 Sec. 802.3)	

1	CCB	Chinatown Community Business District <i>(Defined in Sec. 810.1)</i>
2		
3	CR/NC	Chinatown Residential/Neighborhood Commercial District <i>(Defined in Sec. 812.1)</i>
4		
5	CVR	Chinatown Visitor Retail District <i>(Defined in</i>
6		<i>Sec. 811.1)</i>
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10	South of Market Use Mixed Use Districts	
11	(Also see <i>Article 8 Sec. 802.5</i>)	
12		
13	RED	Residential Enclave Districts <i>(Defined in</i>
14		<i>Sec. 813)</i>
15		
16	RSD	Residential Service District <i>(Defined in Sec.</i>
17		<i>815)</i>
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19	SLR	Service/Light Industrial/Residential District
20		<i>(Defined in Sec. 816)</i>
21		
22	SLI	Service/Light Industrial District <i>(Defined in</i>
23		<i>Sec. 817)</i>
24		
25	SSO	Service/Secondary Office District <i>(Defined</i>

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	<i>in Sec. 818)</i>
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Eastern Neighborhoods Mixed Use Districts (Also see Article 8 <i>Sec. 802.4</i>)	
SPD	South Park District <i>(Defined in Sec. 814)</i>
MUG	Mixed Use – General <i>(Defined in Sec. 840)</i>
MUO	Mixed Use – Office <i>(Defined in Sec. 842)</i>
MUR	Mixed Use – Residential <i>(Defined in Sec. 841)</i>
UMU	Urban Mixed Use <i>(Defined in Sec. 843)</i>

Downtown Residential <u>(DTR)</u> Districts (DTR) (Also see Article 8 <i>Sec. 802.6</i>)	
RH-DTR	Rincon Hill Downtown Residential <i>(Defined in Sec. 827)</i>
SB-DTR	South Beach Downtown Residential <i>(Defined in Sec. 829)</i>

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TB-DTR	Transbay Downtown Residential District <i>(Defined in Sec. 828)</i>
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Mission Bay Districts (MB) (Also see <i>Article 9 Sec. 902</i>)	
MB-R-1	Mission Bay Lower Density Residential District <i>(Defined in Sec. 906)</i>
MB-R-2	Mission Bay Moderate Density Residential District <i>(Defined in Sec. 907)</i>
MB-R-3	Mission Bay High Density Residential District <i>(Defined in Sec. 908)</i>
MB-NC-2	Mission Bay Small Scale Neighborhood Commercial District <i>(Defined in Sec. 909)</i>
MB-NC-3	Mission Bay Moderate Scale Neighborhood Commercial District <i>(Defined in Sec. 910)</i>
MB-NC-S	Mission Bay Neighborhood Commercial Shopping Center District <i>(Defined in Sec. 911)</i>

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MB-O	Mission Bay Office District (<i>Defined in Sec. 912</i>)
MB-CI	Mission Bay Commercial-Industrial District (<i>Defined in Sec. 913</i>)
MB-H	Mission Bay Hotel District (<i>Defined in Sec. 914</i>)
MB-CF	Mission Bay Community Facilities District (<i>Defined in Sec. 915</i>)
MB-OS	Mission Bay Open Space District (<i>Defined in Sec. 916</i>)

Parkmerced Districts (Also see Section 249.64)	
PM-R	Parkmerced Residential District (<i>Defined in Sec. 249.64(b)(2)(i)</i>)
PM-MU1	Parkmerced Mixed Use - Social Heart District (<i>Defined in Sec. 249.64(b)(2)(ii)</i>)
PM-MU2	Parkmerced Mixed Use - Neighborhood

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	Commons (<i>Defined in Sec. 249.64(b)(2)(iii)</i>)
PM-S	Parkmerced School District (<i>Defined in Sec. 249.64(b)(2)(iv)</i>)
PM-CF	Parkmerced Community/Fitness District (<i>Defined in Sec. 249.64(b)(2)(v)</i>)
PM-OS	Parkmerced Open Space District (<i>Defined in Sec. 249.64(b)(2)(vi)</i>)

Treasure Island and Yerba Buena Island Districts (Also see Section 249.52)	
TI-R	Treasure Island-Residential (<i>Defined in Sec. 249.52</i>)
TI-MU	Treasure Island-Mixed Use (<i>Defined in Sec. 249.52</i>)
TI-OS	Treasure Island-Open Space (<i>Defined in Sec. 249.52</i>)
TI-PCI	Treasure Island-Public/Civic/Institutional (<i>Defined in Sec. 249.52</i>)

YBI-R	Yerba Buena Island-Residential (<i>Defined in Sec. 249.52</i>)
YBI-MU	Yerba Buena Island-Mixed Use (<i>Defined in Sec. 249.52</i>)
YBI-OS	Yerba Buena Island-Open Space (<i>Defined in Sec. 249.52</i>)
YBI-PCI	Yerba Buena Island-Public/Civic/Institutional (<i>Defined in Sec. 249.52</i>)

SEC. 207.4. DENSITY OF DWELLING UNITS IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The density of dwelling units in Neighborhood Commercial Districts shall be as stated in the following subsections:

(a) The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in Neighborhood Commercial Districts, except that any remaining fraction of 1/2 or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

The dwelling unit density in Neighborhood Commercial Districts shall be at a density ratio not exceeding the number of dwelling units permitted in the nearest Residential District, provided that the maximum density ratio shall in no case be less than the amount set forth in the following table. The distance to each Residential District shall be measured from the

1 midpoint of the front lot line or from a point directly across the street therefrom, whichever
 2 permits the greater density. *For the density limits, see the specific district tables in Article 7.*

<i>NC District</i>	<i>Residential Density Limits</i>
<i>NC-1</i>	<i>One dwelling unit for each 800 sq. ft. of lot area.</i>
<i>NC-2</i>	
<i>NC-S</i>	
<i>Inner Sunset</i>	
<i>Sacramento Street</i>	
<i>West Portal Avenue</i>	
<i>NC-3</i>	<i>One dwelling unit for each 600 sq. ft. of lot area.</i>
<i>Castro Street</i>	
<i>Inner Clement Street</i>	
<i>Outer Clement Street</i>	

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<i>Upper Fillmore Street</i>	
<i>Haight Street</i>	
<i>Union Street</i>	
<i>24th Street Mission</i>	
<i>24th Street Noe Valley</i>	
<i>Broadway</i>	<i>One dwelling unit for each 400 sq. ft. of lot area.</i>
<i>Upper Market Street</i>	
<i>North Beach</i>	
<i>Polk Street</i>	

18 (b) The dwelling unit density for dwellings specifically designed for and occupied by
 19 senior citizens or physically handicapped persons shall be at a density ratio not exceeding
 20 twice the number of dwelling units permitted by the limits set forth in Subsection (a).

21 (c) The dwelling unit density in NCT Districts, as listed in Section 702.1(b), shall not be
 22 limited by lot area, but by the applicable requirements and limitations elsewhere in this Code,
 23 including but not limited to height, bulk, setbacks, open space, exposure, and unit mix, as well
 24 as by applicable design guidelines, applicable elements and area plans of the General Plan,
 25 and design review by the Planning Department.

SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS.

(a) The dwelling unit density in the Chinatown Mixed Use District shall be at a density ratio not exceeding the amount set forth in the *specific district tables in Article 8 following Table 207.5(a):*

Table 207.5(a)
Density of Dwelling Units in
Chinatown Mixed Use Districts

<i>General Area District</i>	<i>Residential Density Limits</i>
<i>Chinatown Community Business</i>	<i>One dwelling unit for each 200 sq. ft. of lot area</i>
<i>Chinatown Residential Neighborhood Commercial</i>	<i>One dwelling unit for each 200 sq. ft. of lot area</i>
<i>Chinatown Visitor Retail</i>	<i>One dwelling unit for each 200 sq. ft. of lot area</i>

(b) Except as indicated in Paragraph (c) below, the dwelling unit density in the South of Market Mixed Use Districts shall *be as specified in the specific district tables in Article 8 shall not exceed the amount set forth in the following table:*

Table 207.5(b)
Density of Dwelling Units in
South of Market Mixed Use Districts

<i>General Area District</i>	<i>Residential Density Limits</i>
<i>Residential Enclave (RED)</i>	<i>One dwelling unit for each 400 sq. ft. of lot area</i>
<i>Residential Service (RSD) Service/Light Industrial/Residential (SLR), Service/Secondary Office (SSO)</i>	<i>One dwelling unit for each 200 sq. ft. of lot area except that which project above 40 feet in height, a higher density may be allowed as a conditional use in accordance with the provisions of 303(e) of this Code.</i>

(c) There shall be no density limit for single room occupancy (SRO) units in any South of Market Mixed Use District.

(d) There shall be no density limit for any residential use, as defined by Section 890.88 in any DTR district.

(e) There shall be no density limits for any residential use, as defined by Section 890.88, in the Eastern Neighborhoods Mixed Use Districts.

SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR ACTIVE GROUND FLOOR USES IN CERTAIN DISTRICTS.

(a) **Intent.** In order to encourage generous ground floor ceiling heights for commercial and other active uses, encourage additional light and air into ground floor spaces, allow for walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and usability of front stoops, and create better building frontage on the public street, up to an

1 additional 5' of height is allowed along major streets in NCT districts, or in specific districts
2 listed below, for buildings that feature either higher ground floor ceilings for non-residential
3 uses or ground floor residential units (that have direct walk-up access from the sidewalk)
4 raised up from sidewalk level.

5 (b) **Applicability.** The special height exception described in this section shall only
6 apply to projects that meet all of the following criteria:

7 (1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as
8 designated on the Zoning Map;

9 (2) project is located in one of the following districts:

10 (A) in an NCT district as designated on the Zoning Map;

11 (B) in the Upper Market Street, 24th Street – Noe Valley, Castro Street,
12 Upper Market Street, Divisadero Street, Irving Street, Judah Street, Noriega Street, Taraval Street,
13 Inner Clement Street and Outer Clement Street NCDs;

14 (C) on a NC-2 or NC-3 designated parcel fronting Mission Street, from
15 Silver Avenue to the Daly City border;

16 (D) on a NC-2 designated parcel on Balboa Street between 2nd Avenue
17 and 8th Avenue, and between 32nd Avenue and 39th Avenue;

18 (E) on a NC-1 designated parcel within the boundaries of Sargent Street
19 to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farallones Street to San Jose
20 Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and
21 back to Sargent Street; or

22 (F) on a NC-3 designated parcel fronting on Geary Boulevard from
23 Masonic Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard
24 between Palm Avenue and Parker Avenue;

1 (G) on a parcel zoned NC-1 ~~or NC-2~~ with a commercial use on the
2 ground floor on Noriega, Irving, Taraval, or Judah Streets west of 19th Avenue;

3 ~~(H) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor~~
4 ~~on Irving Street west of 19th Avenue;~~

5 ~~(I) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor~~
6 ~~on Taraval Street west of 19th Avenue;~~

7 ~~(J) on a parcel zoned NC-1 or NC-2 with a commercial use on the ground floor~~
8 ~~on Judah Street west of 19th Avenue;~~

9 (3) project features ground floor commercial space or other active use as
10 defined by Section 145.1(b)(2) with clear ceiling heights in excess of ten feet from sidewalk
11 grade, or in the case of residential uses, such walk-up residential units are raised up from
12 sidewalk level;

13 (4) said ground floor commercial space, active use, or walk-up residential use is
14 primarily oriented along a right-of-way wider than 40 feet;

15 (5) said ground floor commercial space or active use occupies at least 50% of
16 the project's ground floor area; and

17 (6) except for projects located in NCT districts, the project sponsor has
18 conclusively demonstrated that the additional 5' increment allowed through Section 263.20
19 would not add new shadow to any public open spaces.

20 (c) One additional foot of height, up to a total of five feet, shall be permitted above the
21 designated height limit for each additional foot of ground floor clear ceiling height in excess of
22 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised
23 above sidewalk grade.

24 * * * (Diagram not shown but not to be deleted.)

1 **SEC. 303. CONDITIONAL USES.**

2 * * *

3 **(i) Formula Retail Uses.**

4 **(1) Formula Retail Use.** A formula retail use is hereby defined as a type of retail
5 sales activity or retail sales establishment which has eleven or more other retail sales
6 establishments located in the United States. In addition to the eleven establishments, the
7 business maintains two or more of the following features: a standardized array of
8 merchandise, a standardized facade, a standardized decor and color scheme, a uniform
9 apparel, standardized signage, a trademark or a servicemark.

10 (A) Standardized array of merchandise shall be defined as 50% or more
11 of in-stock merchandise from a single distributor bearing uniform markings.

12 (B) Trademark shall be defined as a word, phrase, symbol or design, or a
13 combination of words, phrases, symbols or designs that identifies and distinguishes the
14 source of the goods from one party from those of others.

15 (C) Servicemark shall be defined as word, phrase, symbol or design, or a
16 combination of words, phrases, symbols or designs that identifies and distinguishes the
17 source of a service from one party from those of others.

18 (D) Decor shall be defined as the style of interior furnishings, which may
19 include but is not limited to, style of furniture, wall coverings or permanent fixtures.

20 (E) Color Scheme shall be defined as selection of colors used throughout,
21 such as on the furnishings, permanent fixtures, and wall coverings, or as used on the facade.

22 ~~(F)~~ Facade shall be defined as the face or front of a building, including
23 awnings, looking onto a street or an open space.

1 (G) ~~(g)~~ Uniform Apparel shall be defined as standardized items of clothing
2 including but not limited to standardized aprons, pants, shirts, smocks or dresses, hat, and
3 pins (other than name tags) as well as standardized colors of clothing.

4 (H) ~~(h)~~ Signage shall be defined as business sign pursuant to Section
5 602.3 of the Planning Code.

6 (2) "**Retail Sales Activity or Retail Sales Establishment.**" For the purposes of
7 subsection (i), a retail sales activity or retail sales establishment shall include the following
8 uses, as defined in Article 7 and Article 8 of this Code: "Bar," "Drive-up Facility," "Eating and
9 Drinking Use," "Liquor Store," "Sales and Service, Other Retail," "Restaurant," "Limited-
10 Restaurant," "Take-Out Food," "Sales and Service, Retail," "Service, Financial," "Movie
11 Theater," and "Amusement and Game Arcade."

12 (3) **Conditional Use Criteria.** With regard to a conditional use authorization
13 application for a formula retail use, the Planning Commission shall consider, in addition to the
14 criteria set forth in Subsection (c) above:

15 (A) The existing concentrations of formula retail uses within the district.

16 (B) The availability of other similar retail uses within the district.

17 (C) The compatibility of the proposed formula retail use with the existing
18 architectural and aesthetic character of the district.

19 (D) The existing retail vacancy rates within the district.

20 (E) The existing mix of Citywide-serving retail uses and neighborhood-
21 serving retail uses within the district.

22 (4) **Conditional Use Authorization Required.** A Conditional Use Authorization
23 shall be required for a formula retail use in the following zoning districts unless explicitly
24 exempted:

25 (A) All Neighborhood Commercial Districts in Article 7;

- 1 (B) All Mixed Use-General Districts in ~~Article 8~~ Section 843;
- 2 (C) All Urban Mixed Use Districts in Article 8;
- 3 ~~(D) RC-3 and RC-4 zoned parcels along Van Ness Avenue;~~
- 4 (D) All Residential-Commercial Districts as defined in Section 206.3;
- 5 (E) Japantown Special Use District as defined in Section 249.31;
- 6 (F) Chinatown Community Business District as defined in Section ~~810~~
- 7 810.1;
- 8 (G) Chinatown Residential/Neighborhood Commercial District as defined
- 9 in ~~812~~ 812.1;
- 10 (H) Western SoMa Planning Area Special Use District as defined in ~~802.5~~
- 11 823;
- 12 (I) Residential Transit-Oriented Districts as defined in 206.4 and 206.5;
- 13 (J) Limited Conforming Use/Non-Conforming Use in RH-RM-RTO and RED
- 14 Districts.

15 (5) **Formula Retail Uses Not Permitted.** Formula Retail Uses are not permitted
 16 in the following zoning districts:

- 17 (A) Hayes-Gough Neighborhood Commercial Transit District;
- 18 (B) North Beach Neighborhood Commercial District;
- 19 (C) Chinatown Visitor Retail District;
- 20 (D) Upper Fillmore District does not permit Formula Retail uses which are also
- 21 Restaurant or Limited-Restaurant uses as defined in Section 790.90 and 790.91;
- 22 (E) Broadway-Neighborhood Commercial District does not permit Formula
- 23 Retail uses which are also Restaurant or Limited-Restaurant uses as defined in Section 790.90 and
- 24 790.91;

1 (F) Mission Street Formula Retail Restaurant Subdistrict does not permit
2 Formula Retail uses which are also Restaurant or Limited-Restaurant uses as defined in Section 790.90
3 and 790.91;

4 (G) Geary Boulevard Formula Retail Pet Supply Store and Formula Retail
5 Eating and Drinking Subdistrict does not permit Formula Retail uses that are also either a Retail Pet
6 Supply Store or an Eating and Drinking use as set forth in Section 790.4;

7 (H) Mission Street Formula Retail Restaurant Subdistrict does not permit
8 Formula Retail uses which are also Restaurant or Limited-Restaurant uses as defined in Section 790.90
9 and 790.91;

10 (I) Divisadero Street Neighborhood Commercial District.

11 (6) **Neighborhood Commercial Notification and Design Review.** Any building
12 permit application for a "formula retail use" as defined in this section and located within a
13 Neighborhood Commercial District in Article 7 shall be subject to the Neighborhood
14 Commercial Notification and Design Review Procedures of Section 312 of this Code.

15 (7) **Change in Use.** A change from one formula retail use to another requires a
16 new Conditional Use Authorization, whether or not a Conditional Use Authorization would
17 otherwise be required by the particular change in use in question. This Conditional Use
18 Authorization requirement also applies in changes from one Formula Retail operator to
19 another within the same use category. A new Conditional Use Authorization shall not apply to
20 a change in a formula use retailer that meets the following criteria:

21 (A) the formula use operation remains the same in terms of its size,
22 function and general merchandise offering as determined by the Zoning Administrator, and

23 (B) the change in the formula retail use operator is the result of the
24 business being purchased by another formula retail operator who will retain all components of
25

1 the existing retailer and make minor alterations to the establishment(s) such as signage and
2 branding.

3 The new operator shall comply with all conditions of approval previously imposed on
4 the existing operator, including but not limited to signage programs and hours of operation;
5 and shall conduct the operation generally in the same manner and offer essentially the same
6 services and/or type of merchandise; or seek and be granted a new Conditional Use
7 Authorization.

8 (8) **Determination of Formula Retail Use.** In those areas in which "formula
9 retail uses" are prohibited, any building permit application determined by the City to be for a
10 "formula retail use" that does not identify the use as a "formula retail use" is incomplete and
11 cannot be processed until the omission is corrected. Any building permit approved that is
12 determined by the City to have been, at the time of application, for a "formula retail use" that
13 did not identify the use as a "formula retail use" is subject to revocation at any time. If the City
14 determines that a building permit application or building permit subject to this Section of the
15 Code is for a "formula retail use," the building permit application or holder bears the burden of
16 proving to the City that the proposed or existing use is not a "formula retail use."

17 * * *

18 **SEC. 607.1. NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL-COMMERCIAL**
19 **DISTRICTS.**

20 (f) **Business Signs.** Business signs, as defined in Section 602.3 shall be permitted in
21 all Neighborhood Commercial and Residential-Commercial Districts subject to the limits set forth
22 below.

23 (1) **NC-1 and NCT-1 Districts.**

1 (A) **Window Signs.** The total area of all window signs, as defined in
2 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
3 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

4 (B) **Wall Signs.** The area of all wall signs shall not exceed one square
5 foot per square foot of street frontage occupied by the business measured along the wall to
6 which the signs are attached, or 50 square feet for each street frontage, whichever is less.
7 The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is
8 attached. Such signs may be nonilluminated or indirectly illuminated; or during business
9 hours, may be directly illuminated.

10 (C) **Projecting Signs.** The number of projecting signs shall not exceed
11 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
12 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which
13 it is attached. No part of the sign shall project more than 75 percent of the horizontal distance
14 from the street property line to the curblineline, or six feet six inches, whichever is less. The sign
15 may be nonilluminated or indirectly illuminated, or during business hours, may be directly
16 illuminated.

17 (D) **Signs on Awnings.** Sign copy may be located on permitted awnings
18 in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section
19 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly
20 illuminated.

21 (2) **NC-2, NCT-2, NC-S, RC, Broadway, Castro Street, Inner Clement Street,**
22 **Outer Clement Street, Divisadero Street, Upper Fillmore Street, Inner Sunset, Haight**
23 **Street, Hayes-Gough, Upper Market Street, North Beach, Ocean Avenue, Pacific**
24 **Avenue, Polk Street, Sacramento Street, SoMa, Union Street, Valencia Street, 24th**
25

1 **Street - Mission, 24th Street - Noe Valley, West Portal Avenue, *and* Glen Park, Irving**
2 **Street, Taraval Street, Noriega Street, and Judah Street Neighborhood Commercial Districts.**

3 (A) **Window Signs.** The total area of all window signs, as defined in
4 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
5 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

6 (B) **Wall Signs.** The area of all wall signs shall not exceed two square
7 feet per foot of street frontage occupied by the use measured along the wall to which the
8 signs are attached, or 100 square feet for each street frontage, whichever is less. The height
9 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
10 height of the lowest of any residential windowsill on the wall to which the sign is attached,
11 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

12 (C) **Projecting Signs.** The number of projecting signs shall not exceed
13 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24
14 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which
15 it is attached, or the height of the lowest of any residential windowsill on the wall to which the
16 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
17 the horizontal distance from the street property line to the curblin, or six feet six inches,
18 whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during
19 business hours, may be directly illuminated.

20 (D) **Signs on Awnings and Marquees.** Sign copy may be located on
21 permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as
22 defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be
23 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
24 or places of entertainment may be directly illuminated during business hours.

1 (E) **Freestanding Signs and Sign Towers.** With the exception of
2 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4), one
3 freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the
4 building or buildings are recessed from the street property line. The existence of a
5 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
6 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
7 shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the
8 sign shall project more than 75 percent of the horizontal distance from the street property line
9 to the curblineline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
10 illuminated; or during business hours, may be directly illuminated.

11 (3) **Mission Street NCT, NC-3, and NCT-3 Neighborhood Commercial**
12 **Districts.**

13 (A) **Window Signs.** The total area of all window signs, as defined in
14 Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are
15 located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

16 (B) **Wall Signs.** The area of all wall signs shall not exceed three square
17 feet per foot of street frontage occupied by the use measured along the wall to which the
18 signs are attached, or 150 square feet for each street frontage, whichever is less. The height
19 of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the
20 height of the lowest of any residential windowsill on the wall to which the sign is attached,
21 whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

22 (C) **Projecting Signs.** The number of projecting signs shall not exceed
23 one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32
24 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it
25 is attached, or the height of the lowest of any residential windowsill on the wall to which the

1 sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of
2 the horizontal distance from the street property line to the curblin, or six feet six inches,
3 whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

4 (D) **Sign Copy on Awnings and Marquees.** Sign copy may be located
5 on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as
6 defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be
7 nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters
8 or places of entertainment may be directly illuminated during business hours.

9 (E) **Freestanding Signs and Sign Towers.** With the exception of
10 automotive gas and service stations, which are regulated under Paragraph 607.1(f)(4) of this
11 Code, one freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign
12 if the building or buildings are recessed from the street property line. The existence of a
13 freestanding business sign shall preclude the erection of a freestanding identifying sign on the
14 same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a),
15 shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the
16 sign shall project more than 75 percent of the horizontal distance from the street property line
17 to the curblin, or six feet, whichever is less. Such signs may be nonilluminated or indirectly
18 illuminated, or during business hours, may be directly illuminated.

19 (4) **Special Standards for Automotive Gas and Service Stations.** For
20 automotive gas and service stations in Neighborhood Commercial Districts, only the following
21 signs are permitted, subject to the standards in this Paragraph (f)(4) and to all other standards
22 in this Section 607.1.

23 (A) A maximum of two oil company signs, which shall not extend more
24 than 10 feet above the roofline if attached to a building, or exceed the maximum height
25 permitted for freestanding signs in the same district if freestanding. The area of any such sign

1 shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or
 2 signs that are within 10 feet of the street property line shall not exceed 80 square feet in area.
 3 No such sign shall project more than five feet beyond any street property line. The areas of
 4 other permanent and temporary signs as covered in Subparagraph (B) below shall not be
 5 included in the calculation of the areas specified in this Subparagraph.

6 (B) Other permanent and temporary business signs, not to exceed 30
 7 square feet in area for each such sign or a total of 180 square feet for all such signs on the
 8 premises. No such sign shall extend above the roofline if attached to a building, or in any case
 9 project beyond any street property line or building setback line.

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

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

16 The description and purpose statements and land use controls applicable to each of
 17 the general and individual area districts are set forth in *Sections 710.1 through 784* of this Code
 18 for each district class. The boundaries of the various Neighborhood Commercial Districts are
 19 shown on the Zoning Map referred to in Sections 105 and 106 of this Code, subject to the
 20 provisions of that Section.

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

1	<i>NCT 1 Neighborhood Commercial Transit Cluster District</i>	§ 733A
2	<i>NCT 2 Small Scale Neighborhood Commercial Transit District</i>	§ 734
3	<i>NCT 3—Moderate Scale Neighborhood Commercial Transit District</i>	§ 731
4	<u>Named</u> Neighborhood Commercial <i>Individual Area</i> Districts	Section Number
5	Broadway Neighborhood Commercial District	§ 714
6	Castro Street Neighborhood Commercial District	§ 715
7	Inner Clement Street Neighborhood Commercial District	§ 716
8	Outer Clement Street Neighborhood Commercial District	§ 717
9	Upper Fillmore Street Neighborhood Commercial District	§ 718
10	Haight Street Neighborhood Commercial District	§ 719
11	<i>Hayes Gough Neighborhood Commercial Transit District</i>	§ 720
12	Upper Market Street Neighborhood Commercial District	§ 721
13	North Beach Neighborhood Commercial District	§ 722
14	Polk Street Neighborhood Commercial District	§ 723
15	Sacramento Street Neighborhood Commercial District	§ 724
16	Union Street Neighborhood Commercial District	§ 725
17	<i>Valencia Street Neighborhood Commercial District</i>	§ 726
18	<i>24th Street-Mission Neighborhood Commercial District</i>	§ 727
19	24th Street-Noe Valley Neighborhood Commercial District	§ 728
20	West Portal Avenue Neighborhood Commercial District	§ 729
21	Inner Sunset Neighborhood Commercial District	§ 730
22	<i>Upper Market Street Neighborhood Commercial Transit District</i>	§ 732
23	<i>SoMa Neighborhood Commercial Transit District</i>	§ 735
24	<i>Mission Street Neighborhood Commercial Transit District</i>	§ 736
25	<i>Ocean Avenue Neighborhood Commercial Transit District</i>	§ 737
	<i>Noriega Street Neighborhood Commercial District</i>	§ 739.1

<i>Irving Street Neighborhood Commercial District</i>	<i>§ 735 §740.1</i>
<i>Taraval Street Neighborhood Commercial District</i>	<i>§ 736 §741.1</i>
<i>Judah Street Neighborhood Commercial District</i>	<i>§ 737 §742.1</i>
<i>Divisadero Street Neighborhood Commercial District</i>	<i>§ 743.1</i>

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

<i>Neighborhood Commercial Transit Districts</i>	<i>Section Number</i>
<i>Hayes Gough Neighborhood Commercial Transit District</i>	<i>§ 720</i>
<i>Valencia Street Neighborhood Commercial Transit District</i>	<i>§ 726</i>
<i>24th Street – Mission Neighborhood Commercial Transit District</i>	<i>§ 727</i>
<i>NCT 3 – Moderate Scale Neighborhood Commercial Transit District</i>	<i>§ 731</i>
<i>Upper Market Street Neighborhood Commercial Transit District</i>	<i>§ 732</i>
<i>NCT 1 Neighborhood Commercial Transit Cluster District</i>	<i>§ 733A</i>
<i>NCT 2 Small Scale Neighborhood Commercial Transit District</i>	<i>§ 734</i>
<i>SoMa Neighborhood Commercial Transit District</i>	<i>§ 735</i>
<i>Mission Street Neighborhood Commercial Transit District</i>	<i>§ 736</i>
<i>Ocean Avenue Neighborhood Commercial Transit District</i>	<i>§ 737</i>
<i>Glen Park Neighborhood Commercial Transit District</i>	<i>§ 738</i>

<u><i>Neighborhood Commercial Transit Districts</i></u>	<u><i>Section Number</i></u>
<u><i>NCT-1 Neighborhood Commercial Transit Cluster District</i></u>	<u><i>§ 733A</i></u>
<u><i>NCT-2 Small Scale Neighborhood Commercial Transit District</i></u>	<u><i>§ 734</i></u>
<u><i>NCT-3 - Moderate-Scale Neighborhood Commercial Transit District</i></u>	<u><i>§ 731</i></u>
<u><i>Named Neighborhood Commercial Transit (NCT) Districts</i></u>	<u><i>702.1</i></u>
<u><i>Hayes-Gough Neighborhood Commercial Transit District</i></u>	<u><i>§ 720</i></u>
<u><i>Valencia Street Neighborhood Commercial Transit District</i></u>	<u><i>§ 726</i></u>
<u><i>24th Street - Mission Neighborhood Commercial Transit District</i></u>	<u><i>§ 727</i></u>
<u><i>Upper Market Street Neighborhood Commercial Transit District</i></u>	<u><i>§ 732</i></u>
<u><i>SoMa Neighborhood Commercial Transit District</i></u>	<u><i>§ 735</i></u>
<u><i>Mission Street Neighborhood Commercial Transit District</i></u>	<u><i>§ 736</i></u>
<u><i>Ocean Avenue Neighborhood Commercial Transit District</i></u>	<u><i>§ 737</i></u>
<u><i>Glen Park Neighborhood Commercial Transit District</i></u>	<u><i>§ 738</i></u>

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

1 and loading on critical stretches of commercial and transit streets to preserve and enhance he
 2 pedestrian-oriented character and transit function.

3 **SEC. 702.3. NEIGHBORHOOD COMMERCIAL RESTRICTED USE SUBDISTRICTS.**

4 In addition to the Neighborhood Commercial Use Districts established by Section 702.1
 5 of this Code, certain Neighborhood Commercial Special Use Districts are established for the
 6 purpose of controlling the expansion of certain kinds of uses which if uncontrolled may
 7 adversely affect the character of certain Neighborhood Commercial Districts.

8 The purposes and provisions set forth in Section 781.1 through ~~781.6~~ 781.10, Sections
 9 783 – 785, and Sections 249.35 – 249.69 of this Code shall apply respectively within these
 10 districts. The boundaries of the districts are as shown on the Zoning Map as referred to in
 11 Section 105 of this Code, subject to the provisions of that Section.

Neighborhood Commercial Restricted Use Subdistricts	Section Number
Taraval Street Restaurant Subdistrict	§ 781.1
Irving Street Restaurant Subdistrict	§ 781.2
<i>Ocean Avenue Fast Food Subdistrict</i>	§ 781.3
Geary Boulevard Formula Retail Pet Supply Store and Formula Retail Eating and Drinking Subdistrict	§ 781.4
Mission Street Formula Retail Restaurant Subdistrict	§ 781.5
North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict	§ 781.6
Chestnut Street Financial <i>Service Subdistrict</i>	§ 781.7

1	Haight Street Alcohol Restricted Use District	§ 781.9
2	<i>Divisadero Street Alcohol Restricted Use District</i>	§ 783
3	Lower Haight Street Alcohol Restricted Use District	§ 784
4		
5	Excelsior Alcohol Special Use District	§ 785
6	<i>Lower Haight Tobacco Paraphernalia Restricted Use District</i>	§ 786
7		
8	<i>Fringe Financial Service Restricted Use District</i>	<u>§ 249.35</u>
9	<i>Mission Alcohol Restricted Use District</i>	<u>§ 249.60 (formerly 781.8)</u>
10	<i>Third Street Alcohol Restricted Use District</i>	<u>§ 249.62 (formerly 782)</u>

SEC. 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2 ZONING CONTROL TABLE

			NC-2		
No.	Zoning Category	§ References	Controls		
BUILDING STANDARDS					
* * *			<i>Required</i>		
711.13	Street Frontage	<u>§ 145.1</u>	<u>§ 145.1</u>		
* * *					
No.	Zoning Category	§ References	Divisadero Street Controls by Story		
		§ 790.118	1st	2nd	3rd+
Retail Sales and Services					
* * *					
711.54	Massage Establishment	§ 790.60	C#		
* * *		§ 1900 Health Code			

1	711.69B	Amusement Game Arcade	§ 790.04 <u>790.40</u>			
2		(Mechanical Amusement				
3		Devices)				
4	* * *					

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SPECIFIC PROVISIONS FOR NC-2 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
* * *		
<u>§ 711.54</u>	<u>Massage Establishment</u>	<u>MASSAGE ESTABLISHMENT</u> <u>Controls:</u> <u>Massage shall generally be subject to Conditional Use authorization. Certain exceptions to the Conditional Use requirement for massage are described in §790.60(c). When considering an application for a conditional use permit pursuant to this subsection, the Planning Commission shall consider, in addition to the criteria listed in Section 303(c), the additional criteria described in §303(o).</u>
* * *	§ 249.35	FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD) Boundaries: The FFSRUD and its ¼ mile buffer includes, but is not limited to, properties within: the Mission Alcoholic Beverage Special Use District the Haight Street Alcohol Restricted Use District; the Third Street Alcohol Restricted Use District; the Divisadero Street Alcohol Restricted Use District; the North of Market

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		<p>Residential Special Use District and the Assessor's Blocks and Lots fronting on both sides of Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use District Maps SU11 and SU12; and includes Small-Scale Neighborhood Commercial Districts within its boundaries.</p> <p>Controls: Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section 249.35. Outside the FFSRUD and its ¼ mile buffer, fringe financial services are P subject to the restrictions set forth in Subsection 249.35(c)(3).</p>
* * *		

SEC. 739. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

			Noriega Street Neighborhood Commercial District
No.	Zoning Category	§ References	Controls

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COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

739.31	Business Signs	§§ 262, 602-604, 608, 609	P § 607.1(e-f)(2)
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SEC. 740. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

			Irving Street
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			Neighborhood Commercial District
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

739.31	Business Signs	§§ 262, 602-604, 608, 609	P § 607.1(e-f)(2)
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Table 810

CHINATOWN COMMUNITY BUSINESS DISTRICT

ZONING CONTROL TABLE

			Chinatown Community Business District
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES

*** .20 ***	Use Size [Nonresidential]	§ 890.130	P up to 5,000 sq. ft. C 5,000 sq. ft. & above § 121.4 Except for <i>full-service</i> restaurants
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Table 811

CHINATOWN VISITOR RETAIL DISTRICT

ZONING CONTROL TABLE

			Chinatown Visitor Retail District
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND SERVICES

*** .20 ***	Use Size [Nonresidential]	§ 890.130	P up to 5,000 sq. ft. C 5,000 sq. ft. & above § 121.4 Except for <i>full-service</i> restaurants
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SPECIFIC PROVISIONS FOR THE CHINATOWN VISITOR RETAIL DISTRICT

*** 811.47b ***	§ 890.37	The other entertainment use must be in conjunction with an existing <i>full-service</i> R Restaurant
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SEC. 790.55. LIQUOR STORE.

A retail use which sells beer, wine, or distilled spirits to a customer in an open or closed container for consumption off the premises and which needs a State of California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general) This classification shall not include retail uses that:

(a ~~1~~) are ~~both~~ (1 ~~a~~) classified as a general grocery store use as set forth in Section 790.102(a), or a specialty grocery store use as set forth in Section 790.102(b), or a self-service specialty food use as set forth in Section 790.93, and (2 ~~b~~) have a gross floor area devoted to alcoholic beverages that is within the accessory use limits set forth in Section 703.2(b)(1)(C)(vi); or

(b ~~2~~) have ~~both~~ (1 ~~a~~) a use size as defined in Section 790.130 of this Code of greater than 10,000 gross square feet and (2 ~~b~~) a gross floor area devoted to alcoholic beverages that

1 is within accessory use limits as set forth in Section 204.2 or 703.2(b)(1)(c) of this Code,
2 depending on the zoning district in which the use is located.

3 (c) For purposes of Planning Code Sections 249.5, 781.8, 781.9, 782, ~~783~~, and 784, the
4 retail uses explicitly exempted from this definition as set forth above shall only apply to
5 general grocery and specialty grocery stores that exceed 5,000s/f in size, ~~shall~~ that do not:

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

10 (2 b) devote more than 15% of the gross square footage of the establishment to the
11 display and sale of alcoholic beverages; and

12 (3 e) sell single servings of beer in container sizes 24 oz. or smaller.

13

14 Section 5. Sheets ZN02 and ZN07 of the Zoning Map of the City and County of San
15 Francisco is hereby amended, as follows:

16

17	<u>Description of Property</u>	<u>Use District to be Superseded</u>	<u>Use District Hereby Approved</u>
18	All parcels zoned NC-2	NC-2	Divisadero Street
19	on Blocks 1100, 1101, 1126,		Neighborhood Commercial
20	1127, 1128, 1129, 1153, 1154,		District
21	1155, 1156, 1179, 1180, 1181,		
22	1182, 1201, 1202, 1203, 1204,		
23	1215, 1216, 1217, 1218, 1237,		
24	1238, 1239, and 1240		

25

1 Section 6. Sheet SU02 of the Zoning Map of the City and County of San Francisco is
2 hereby amended to delete the Divisadero Street Alcohol Restricted Use SUD.

3
4 Section 7. Effective Date. This Ordinance shall become effective 30 days from the
5 date of passage.

6
7 Section 8. In enacting this Ordinance, the Board intends to amend only those words,
8 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,
9 or any other constituent part of the Planning Code that are explicitly shown in this legislation
10 as additions, deletions, Board amendment additions, and Board amendment deletions in
11 accordance with the "Note" that appears under the official title of the legislation.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: _____
16 JUDITH A. BOYAJIAN
17 Deputy City Attorney

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