

1 [Planning Code - Inner Clement, Outer Clement, and Geary Neighborhood Commercial
2 Controls]

3 Ordinance amending Sections 263.20, 712.1, 716.1, and 781.4 of the San Francisco
4 Planning Code to 1) allow one additional eating and drinking uses as principally
5 permitted uses in the Inner Clement and ~~Outer Clement~~ Neighborhood Commercial
6 Districts if the ~~total street frontage dedicated to such uses does not exceed 30 percent~~
7 and allow any additional eating and drinking use in that district as conditionally
8 permitted uses if the ~~total street frontage dedicated to such uses exceeds 30 percent;~~
9 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial
10 District with a conditional use permit; 3) remove the prohibition on large fast-food
11 restaurants and prohibit formula retail pet supply stores and formula retail eating and
12 drinking uses establishments in the Geary Boulevard Fast-Food Subdistrict; 34) make
13 video stores a principally permitted use on the ground floor in the NC-3 and the Inner
14 Clement and Outer Clement Neighborhood Commercial Districts; 4) permit a height
15 increase of five feet to permit tall ground-floor ceiling heights in the 40-X and 50-X
16 Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard from Scott
17 Street to 28th Avenue; and 5) making environmental findings, Planning Code Section
18 302 findings, and findings of consistency with the General Plan and the Priority
19 Policies of Planning Code Section 101.1.

20 NOTE: Additions are *single-underline italics Times New Roman*;
21 deletions are *strike-through italics Times New Roman*.
22 Board amendment additions are double-underlined;
23 Board amendment deletions are ~~strikethrough normal~~.

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

25 Section. 1. General Findings.

1 (a) The Planning Department has determined that the actions contemplated in this
2 ordinance comply with the California Environmental Quality Act (California Public Resources
3 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
4 Supervisors in File No. 110592 and is incorporated herein by reference.

5 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
6 amendments will serve the public necessity, convenience, and welfare for the reasons set
7 forth in Planning Commission Resolution No. 18409 and the Board incorporates such reasons
8 herein by reference. A copy of Planning Commission Resolution No. 18409 is on file with the
9 Board of Supervisors in File No. 110592.

10 (c) This Board finds that these Planning Code amendments are consistent with the
11 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
12 forth in Planning Commission Resolution No. 18409, and the Board hereby incorporates such
13 reasons herein by reference.

14 **Section 2. Specific Findings.**

15 (a) As the main commercial corridors of the Richmond District, Geary Boulevard
16 and Clement Street support a diverse and vibrant neighborhood with businesses that provide
17 a mix and variety of goods and services to the Richmond neighborhood and City residents,
18 including many small, locally owned businesses.

19 (b) Small, locally owned businesses provide a majority of jobs to San Francisco
20 residents.

21 (c) Fostering, promoting and retaining small businesses is a policy priority of the
22 City of San Francisco, as evidenced by the approval in November 1986 by the voters of
23 Proposition M, now codified as Planning Code Section 101.1 and known as the City's Priority
24 Policies, which call, inter alia, for the preservation of existing neighborhood serving retail.
25

1 (d) The approval, in November 2003 by the voters of Proposition D, which created a
2 Chartered Small Business Commission (SBC) to oversee the Office of Small Business (OSB),
3 also demonstrates the City's interest in preserving and promoting small, neighborhood serving
4 businesses.

5 (e) There are four small, locally owned neighborhood serving pet supply stores
6 within easy walking distance of the area of Geary Boulevard between 14th Avenue and 28th
7 Avenue, constituting a local neighborhood serving industry.

8 (f) There are many well established, locally owned neighborhood serving eating
9 and drinking establishments which help define the unique character of the Richmond District.

10 (g) The proliferation of formula retail uses, including eating and drinking uses and
11 pet supply stores, aggravates parking and traffic congestion in this District by promoting car
12 trips from outside the District to destination retail locations.

13 ~~(h) An increase in the height limits along Geary Boulevard would be consistent with~~
14 ~~development patterns in other commercial corridors of the City, and would create incentives to~~
15 ~~use space more efficiently, particularly commercial space on the ground floor.~~

16 Section 3. The San Francisco Planning Code is hereby amended by amending Section
17 263.20, to read as follows:

18 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT FOR**
19 **GROUND FLOOR USES IN NCT 40-X AND 50-X HEIGHT AND BULK DISTRICTS, IN NCT**
20 **DISTRICTS NC-2 AND NC-3 DESIGNATED PARCELS FRONTING MISSION STREET,**
21 **FROM SILVER AVENUE TO THE DALY CITY BORDER, AND IN SPECIFIED NC-1**
22 **DESIGNATED PARCELS AND IN SPECIFIED NC DISTRICTS.**

23 (a) **Intent.** In order to encourage generous ground floor ceiling heights for commercial
24 and other active uses, encourage additional light and air into ground floor spaces, allow for
25 walk-up ground floor residential uses to be raised slightly from sidewalk level for privacy and

1 usability of front stoops, and create better building frontage on the public street, up to an
2 additional 5' of height is allowed along major streets in NCT districts, or in specific NC-3, NC-
3 2, or NC-1 districts listed below, for buildings that feature either higher ground floor ceilings for
4 non-residential uses or ground floor residential units (that have direct walk-up access from the
5 sidewalk) raised up from sidewalk level.

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

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

10 (2) project is located:

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

12 (B) in the Upper Market Street NCD;

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

15 (D) ~~on a NC-3 designated parcel fronting on Geary Boulevard from Scott Street to 28th~~
16 ~~Avenue; or~~

17 (E) ~~on a NC-1 designated parcel with a commercial use on the ground floor~~ within the
18 boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to
19 Farallones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph
20 Street to Monticello Street and back to Sargent Street.

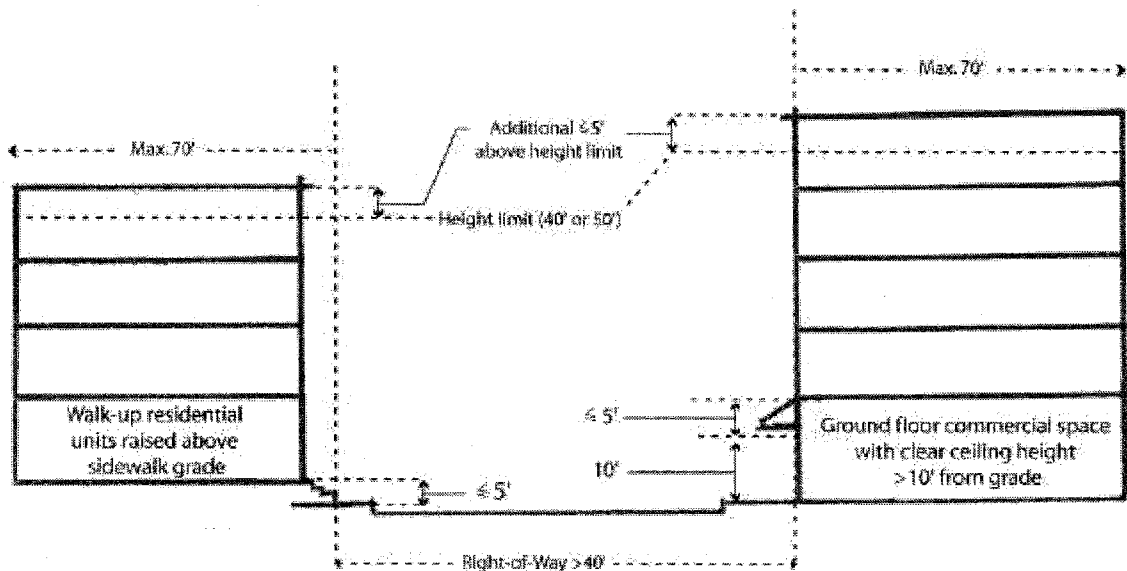
21 (3) project features ground floor commercial space or other active use as defined by
22 Section 145.1(b)(2) with clear ceiling heights in excess of ten feet from sidewalk grade, or in
23 the case of residential uses, such walk-up residential units are raised up from sidewalk level;

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

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

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

6 (c) One additional foot of height, up to a total of five feet, shall be permitted above the
7 designated height limit for each additional foot of ground floor clear ceiling height in excess of
8 10 feet from sidewalk grade, or in the case of residential units, for each foot the unit is raised
9 above sidewalk grade.



21 Section 4. The San Francisco Planning Code is hereby amended by amending Section
22 712, to read as follows:

23 **SEC. 712. MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-3**
24 **ZONING CONTROL TABLE**

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			NC-3
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
712.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250 – 252, 260, 263.20, 270, 271	Generally, 40-X See Zoning Map; additional 5 feet for NC-3 parcels with active uses along Mission Street, from Silver Avenue to the Daly City Border, and on Geary Boulevard from Scott Street to 28th Avenue; see § 263.20.
712.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 9,999 sq. ft.; C 10,000 sq. ft. & above § 121.1
712.12	Rear Yard	§§ 130, 134, 136	Required at residential levels only § 134(a)(e)
712.13	Street Frontage		Required § 145.1
712.14	Awning	§ 790.20	P § 136.1 (a)

1	712.15	Canopy	§ 790.26	P
2				§ 136.1 (b)
3	712.16	Marquee	§ 790.58	P
4				§ 136.1 (c)
5	712.17	Street Trees		Required
6				§ 143
7	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
8	712.20	Floor Area Ratio	§§ 102.9, 102.11, 123	3.6 to 1 § 124(a) (b)
9	712.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 5,999 sq. ft.; C 6,000 sq. ft. & above § 121.2
10	712.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153 - 157, 159, 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
11	712.23	Off-Street Freight Loading	§§ 150, 153 – 155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
12	712.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere

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			§ 145.2(a)		
712.25	Drive-Up Facility	§ 790.30	#		
712.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2 (b)		
712.27	Hours of Operation	§ 790.48	No Limit		
712.30	General Advertising Sign	§§ 262, 602 – 604, 608, 609	P # § 607.1(e)2		
712.31	Business Sign	§§ 262, 602 – 604, 608, 609	P # § 607.1(f)3		
712.32	Other Signs	§§ 262, 602 – 604, 608, 609	P # § 607.1(c) (d) (g)		
	Zoning	§	NC-3		
No.	Category	References	Controls by Story		
		§ 790.118	1st	2nd	3rd+
712.38	Residential Conversion	§ 790.84	P	C	C #
712.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					

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712.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P #	P #	P #
712.41	Bar	§ 790.22	P#	P	
712.42	Full-Service Restaurant	§ 790.92	P#	P	
712.43	Large Fast Food Restaurant	§ 790.90	C #	C #	
712.44	Small Self-Service Restaurant	§ 790.91	P #	P #	
712.45	Liquor Store	§ 790.55			
712.46	Movie Theater	§ 790.64	P	P	
712.47	Adult Entertainment	§ 790.36	C	C	
712.48	Other Entertainment	§ 790.38	P	P	
712.49	Financial Service	§ 790.110	P	P	
712.50	Limited Financial Service	§ 790.112	P	P	
712.51	Medical Service	§ 790.114	P	P	P
712.52	Personal Service	§ 790.116	P	P	P
712.53	Business or	§ 790.108	P	P	P

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	Professional Service				
712.54	Massage Establishment	§ 790.60, § 1900 Health Code	C	C	
712.55	Tourist Hotel	§ 790.46	C	C	C
712.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
712.57	Automobile Gas Station	§ 790.14	C		
712.58	Automotive Service Station	§ 790.17	C		
712.59	Automotive Repair	§ 790.15	C	C	
712.60	Automotive Wash	§ 790.18	C		
712.61	Automobile Sale or Rental	§ 790.12	C		
712.62	Animal Hospital	§ 790.6	C	C	
712.63	Ambulance Service	§ 790.2	C		
712.64	Mortuary	§ 790.62	C	C	C
712.65	Trade Shop	§ 790.124	P	C	C
712.66	Storage	§ 790.117	C	C	C

1	712.67	Video Store	§ 790.135	<u>PG</u>	C	C
2	712.68	Fringe Financial	§ 790.111	P#		
3		Service				
4	712.69	Tobacco	§ 790.123	C		
5		Paraphernalia				
6		Establishments				
7	712.69A	Self-Service	§ 790.93	P#	P#	
8		Specialty Food				
9	712.69B	Amusement Game	§ 790.04	C		
10		Arcade (Mechanical				
11		Amusement				
12		Devices)				
13	712.69C	Neighborhood	§ 102.35 (a)	P	P	P
14		Agriculture				
15	712.69D	Large-Scale Urban	§ 102.35(b)	C	C	C
16		Agriculture				
17	Institutions and Non-Retail Sales and Services					
18	712.70	Administrative	§ 790.106	C	C	C
19		Service				
20	712.80	Hospital or Medical	§ 790.44	C	C	C
21		Center				
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1	712.81	Other Institutions, Large	§ 790.50	P	P	P
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3	712.82	Other Institutions, Small	§ 790.51	P	P	P
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5	712.83	Public Use	§ 790.80	C	C	C
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7	712.84	Medical Cannabis Dispensary	§ 790.141	P #		
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9	RESIDENTIAL STANDARDS AND USES					
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11	712.90	Residential Use	§ 790.88	P	P	P
12	712.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
13						
14	712.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
15						
16	712.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
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18	712.94	Off-Street Parking, Residential	§§ 150, 153 - 157, 159 - 160, 204.5	Generally, 1 space for each dwelling unit §§ 151. 161(a) (g)		
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1	712.95	Community	§ 790.10	C	C	C
2		Residential Parking				

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SPECIFIC PROVISIONS FOR NC-3 DISTRICTS

Article 7 Code Section	Other Code Section	Zoning Controls
§ 712.25 § 712.40	§ 249.14	<p>THIRD STREET SPECIAL USE DISTRICT</p> <p>Boundaries: Applicable only to the portion of the Third Street SUD as shown on Sectional Map 10 SU zoned NC-3</p> <p>Controls: Off-sale retail liquor sales as defined in Section 249.14(b)(1)(A) are NP; drive-up facilities for large fast-food restaurants, small self-service restaurants and self-service specialty food are C</p>
§ 712.10 § 207.4 § 712.22 § 712.12	§ 790.4	<p>MISSION-HARRINGTON SPECIAL USE DISTRICT</p> <p>Boundaries: Applicable only to the Mission-Harrington SUD, as shown on Sectional Map SU11.</p> <p>Controls: Height 56-X; one unit allowed for every 400 square feet of lot area; no parking requirements; no rear setback requirements.</p>
§ 712.30 § 712.31 § 712.32	§ 608.10	<p>UPPER MARKET STREET SPECIAL SIGN DISTRICT</p> <p>Boundaries: Applicable only for the portion of the Market Street NC-3 District from Octavia to Church Streets as mapped on Sectional Map SSD</p>

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		Controls: Special restrictions and limitations for signs
§ 712.38	§ 790.84	<p>Boundaries: Applicable to NC-3 Districts</p> <p>Controls: A residential use may be converted to an Other Institution, Large, use, as defined by Section 790.50 of this Code, as a conditional use on the third story and above if in addition to the criteria set forth in Section 303, the Commission finds that:</p> <p>(1) The structure in which the residential use is to be converted has been found eligible for listing on the National Register of Historic Places;</p> <p>(2) The proposed Other Institution, Large, use is to be operated by a nonprofit public benefit corporation; and</p> <p>(3) No legally residing residential tenants will be displaced.</p>
§ 712.43	§ 781.4	<p>GEARY BOULEVARD FAST-FOOD <u>FORMULA RETAIL</u> <u>PET SUPPLY STORE AND FORMULA RETAIL EATING AND</u> <u>DRINKING</u> SUBDISTRICT</p> <p>Boundaries: Applicable only for the portion of the Geary Boulevard NC-3 District between 14th and 28th Avenues as mapped on Sectional Maps 3 SU and 4 SU</p> <p>Controls: <u>Formula Retail pet supply stores and formula retail eating and drinking uses</u> Large fast food restaurants are NP</p>
§ 712.43 § 712.44 § 712.69A	§ 781.5	<p>MISSION STREET FAST-FOOD SUBDISTRICT</p> <p>Boundaries: Applicable only for the portion of the Mission Street NC-3 District between 15th Avenue <u>Street</u> and Randall Street as</p>

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		<p>mapped on Sectional Map 7 SU</p> <p>Controls: Small self-service restaurants and self-service specialty food are C; large fast-food restaurants are NP</p>
§ 712.45	§ 781.10	<p>17TH AND RHODE ISLAND STREET GROCERY STORE SPECIAL USE SUBDISTRICT.</p> <p>Boundaries: Applicable only for the block bound by 17th, Rhode Island, Mariposa and Kansas Streets as mapped on Sectional Map 8 SU</p> <p>Controls: One liquor store on the first or second story is C if operated as integral element of a grocery store of not less than 30,000 gross square feet. Nighttime Entertainment uses are not permitted.</p>
§ 712.68	§ 249.35	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</p> <p>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 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 Moderate-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>
<p>§ 712.84 § 790.141</p>	<p>Health Code § 3308</p>	<p>Medical cannabis dispensaries in NC-3 District may only operate between the hours of 8 a.m. and 10 p.m.</p>

Section 5. The San Francisco Planning Code is hereby amended by amending Section 716.1, to read as follows:

SEC. 716.1. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

The Inner Clement Street Commercial District is located on Clement Street between Arguello Boulevard and Funston Avenue in the eastern portion of the Richmond District of northwest San Francisco. The district provides a wide selection of convenience goods and services for the residents of the Inner Richmond neighborhood. Inner Clement Street has one of the greatest concentrations of restaurants of any commercial street in San Francisco, drawing customers from throughout the City and region. There are also a significant number of professional, realty, and business offices as well as financial institutions. The pleasant pedestrian character of the district is derived directly from the intensely active retail frontage on Clement Street.

The Inner Clement Street District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that supports the district's vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. In new development, most commercial uses are permitted at the first two stories, although certain limitations apply to

1 uses at the second story. Special controls are necessary to preserve the equilibrium of
 2 neighborhood-serving convenience and comparison shopping businesses and protect
 3 adjacent residential livability. These controls prohibit additional financial service and limit
 4 additional eating and drinking establishments, late-night commercial uses and ground-story
 5 entertainment uses. In order to maintain the street's active retail frontage, controls also
 6 prohibit most new automobile and drive-up uses.

7 Housing development is encouraged in new buildings above the ground story. Existing
 8 residential units are protected by prohibitions on upper-story conversions and limitations on
 9 demolitions.

10 **SEC. 716. INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 11 **ZONING CONTROL TABLE**

			Inner Clement Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
716.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250 – 252, 260, 270, 271	40-X
716.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
716.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all

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			residential levels § 134(a) (e)
716.13	Street Frontage		Required § 145.1
716.14	Awning	§ 790.20	P § 136.1(a)
716.15	Canopy	§ 790.26	P § 136.1(b)
716.16	Marquee	§ 790.58	P § 136.1(c)
716.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
716.20	Floor Area Ratio	§§ 102.9, 102.11, 123	1.8 to 1 § 124(a) (b)
716.21	Use Size <i>[Non-Residential]</i>	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
716.22	Off-Street Parking, Commercial/Institutional	§§ 150, 153 - 157, 159 - 160, 204.5	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)

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716.23	Off-Street Freight Loading	§§ 150, 153 - 155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
716.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2 (a)
716.25	Drive-Up Facility	§ 790.30	
716.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2 (b)
716.27	Hours of Operation	§ 790.48	P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.
716.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609	
716.31	Business Sign	§§ 262, 602 - 604, 608, 608	P § 607.1(f)2
716.32	Other Signs	§§ 262, 602 - 604, 608, 609	P § 607.1(c) (d) (g)
No.	Zoning Category	§ References	Inner Clement Street
			Controls by Story

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		§ 790.118	1st	2nd	3rd+
716.38	Residential Conversion	§ 790.84	P		
716.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
716.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P	C	
716.41	Bar	§ 790.22	C#		
716.42	Full-Service Restaurant	§ 790.92	C#		
716.43	Large Fast Food Restaurant	§ 790.90	<u>C#</u>		
716.44	Small Self-Service Restaurant	§ 790.91	<u>C#</u>		
716.45	Liquor Store	§ 790.55	C		
716.46	Movie Theater	§ 790.64	P		
716.47	Adult Entertainment	§ 790.36			
716.48	Other Entertainment	§ 790.38	C		
716.49	Financial Service	§ 790.110			
716.50	Limited Financial Service	§ 790.112	C		
716.51	Medical Service	§ 790.114	P	C	

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716.52	Personal Service	§ 790.116	P	C	
716.53	Business or Professional Service	§ 790.108	P	C	
716.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
716.55	Tourist Hotel	§ 790.46	C	C	
716.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
716.57	Automotive Gas Station	§ 790.14			
716.58	Automotive Service Station	§ 790.17			
716.59	Automotive Repair	§ 790.15			
716.60	Automotive Wash	§ 790.18			
716.61	Automobile Sale or Rental	§ 790.12			
716.62	Animal Hospital	§ 790.6	C		
716.63	Ambulance Service	§ 790.2			
716.64	Mortuary	§ 790.62			
716.65	Trade Shop	§ 790.124	P	C	

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716.66	Storage	§ 790.117			
716.67	Video Store	§ 790.135	<u>PG</u>	C	
716.68	Fringe Financial Service	§ 790.111			
716.69	Tobacco Paraphernalia Establishments	§ 790.123	C		
716.69A	Self-Service Specialty Food	§ 790.93	<u>C</u> #		
716.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04			
716.69C	Neighborhood Agriculture	§ 102.35 (a)	P	P	P
716.69D	Large-Scale Urban Agriculture	§ 102.35(b)	C	C	C
Institutions and Non-Retail Sales and Services					
716.70	Administrative Service	§ 790.106			
716.80	Hospital or Medical Center	§ 790.44			
716.81	Other Institutions, Large	§ 790.50	P	C	C
716.82	Other Institutions, Small	§ 790.51	P	P	P
716.83	Public Use	§ 790.80	C	C	C

716.84	Medical Cannabis Dispensary	§ 790.141	P		
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RESIDENTIAL STANDARDS AND USES

716.90	Residential Use	§ 790.88	P	P	P
716.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
716.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
716.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § 135(d)		
716.94	Off-Street Parking, Residential	§§ 150, 153 - 157, 159 - 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
716.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE INNER CLEMENT STREET

NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7	Other	Zoning Controls
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Code Section	Code Section	
§ 716.41	§ 790.22	<p style="text-align: center;">INNER CLEMENT STREET LIQUOR LICENSES FOR FULL-SERVICE RESTAURANTS</p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District</p> <p>Controls: (a) In order to allow certain restaurants to seek an ABC license type 47 so that liquor may be served for drinking on the premises, a bar use, as defined in § 790.22, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The bar function is operated as an integral element of an establishment which is classified <i>both as: (A) a full-service restaurant as defined in § 790.92 and (B) a bona-fide eating place restaurant as defined in § 790.142 781.8(e); and</i></p> <p>(2) The establishment maintains only an ABC license type 47. Other ABC license types, except those that are included within the definition of a <i>full-service restaurant pursuant to § 790.22</i>, are not permitted for those uses subject to this Section.</p> <p>(b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>

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§ 716.41	§ 790.22	<p style="text-align: center;">INNER CLEMENT STREET LIQUOR LICENSES FOR BARS</p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District</p> <p>Controls: (a) In order to allow wine and/or beer bars to seek an ABC license type 42 so that wine and beer (but not hard spirits) may be served for drinking on the premises, a bar use, as defined in § 790.2, may be permitted as a conditional use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission finds that:</p> <p>(1) The bar function is operated as a wine and beer bar with an ABC license type 42, which may include incidental food services; and</p> <p>(2) The establishment maintains only an ABC license type 42 and/or an ABC license type 20 permitting off-premises sales of wine and beer. Other ABC license types, except those that are included within the definition of a full-service restaurant pursuant to § 790.22, are not permitted for those uses subject to this Section.</p> <p>(b) Subsequent to the granting of a conditional use authorization under this Section, the Commission may consider immediate revocation of the previous conditional use authorization should an establishment no longer comply with any of the above criteria for any length of time.</p>
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<p>1 §716.41</p> <p>2 <i>and</i></p> <p>3 716.42,</p> <p>4 <u>716.43,</u></p> <p>5 <u>716.44, and</u></p> <p>6 <u>716.69A</u></p>	<p>§ 790.34</p> <p>790.92 and</p> <p>790.22</p>	<p>INNER CLEMENT STREET <u>EATING AND DRINKING</u></p> <p><u>USES FULL SERVICE RESTAURANTS AND BARS</u></p> <p>Boundaries: Applicable to the Inner Clement Street Neighborhood Commercial District</p> <p>Controls: A <u>One additional full-service eating and drinking use</u> restaurant or a bar may be permitted as a <u>principal use</u> if the total ground floor street frontage of <u>in the Inner Clement Neighborhood Commercial District</u>, dedicated to eating and drinking uses, as defined in Section 790.34, is less than 30% of the total street frontage of the district. If the total ground level street frontage dedicated to eating and drinking uses exceeds 30%, then <u>Any additional eating and drinking uses food and drink uses may be approved with a conditional use authorization, on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission has approved no more than a total of three (3) full-service restaurants or bars in accordance with this Section. Should a full-service restaurant or bar permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new full-service restaurant or bar in accordance with the terms of this Section</u></p>
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23 Section 6. The San Francisco Planning Code is hereby amended by amending Section

24 717.1, to read as follows:

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1 **SEC. 717.1. OUTER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

2 The Outer Clement Street Neighborhood Commercial District is located on Clement
3 Street between 19th Avenue and 27th Avenue in the western portion of the Richmond District.
4 The shopping area contains small-scale convenience businesses, as well as many
5 restaurants and a movie theater. The district's restaurants serve a neighborhood and
6 Citywide clientele during the evening hours, while convenience shopping uses cater for the
7 most part to daytime neighborhood shoppers. Outer Clement Street contains many mixed-
8 use buildings with some fully commercial and fully residential buildings interspersed between
9 them.

10 The Outer Clement Street District controls are designed to promote development that is
11 in keeping with the district's existing small-scale, mixed-use character. The building
12 standards monitor large-scale development and protect rear yards at all levels. Future
13 commercial growth is directed to the ground story in order to promote more continuous and
14 active retail frontage. Additional eating and drinking establishments are regulated to prevent
15 over-concentration, prohibited, while ground-story entertainment and financial service uses
16 are monitored in order to limit the problems of traffic, congestion, noise and late-night activity
17 associated with such uses and to protect existing neighborhood-serving businesses. Other
18 controls restricting late-night activity, hotels, automobile uses, and drive-up facilities are
19 designed to preserve the low-intensity character of the district.

20 Housing development in new buildings is encouraged above the ground story. Existing
21 residential units are protected by prohibitions of upper-story conversions and limitations on
22 demolitions.

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

24 **ZONING CONTROL TABLE**

			Outer Clement Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
717.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250 - 252, 260, 270, 271	40-X
717.11	Lot Size <i>[Per Development]</i>	§§ 790.56, 121.1	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § 121.1
717.12	Rear Yard	§§ 130, 134, 136	Required at grade level and above § 134(a) (e)
717.13	Street Frontage		Required § 145.1
717.14	Awning	§ 790.20	P § 136.1(a)
717.15	Canopy	§ 790.26	P § 136.1(b)
717.16	Marquee	§ 790.58	P § 136.1 (c)

1	717.17	Street Trees		Required
2				§ 143
3	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
4	717.20	Floor Area Ratio	§§ 102.9, 102.11,	1.8 to 1
5			123	§ 124 (a) (b)
6	717.21	Use Size	§ 790.130	P up to 2,499 sq. ft.;
7		<i>[Non-Residential]</i>		C 2,500 sq. ft. & above
8				§ 121.2
9	717.22	Off-Street Parking,	§§ 150, 153 - 157,	Generally, none required if
10		Commercial/Institutional	159 - 160, 204.5	occupied floor area is less
11				than 5,000 sq. ft.
12				§§ 151, 161(g)
13	717.23	Off-Street Freight	§§ 150, 153- 155,	Generally, none required if
14		Loading	204.5	gross floor area is less than
15				10,000 sq. ft.
16				§§ 152, 161(b)
17	717.24	Outdoor Activity Area	§ 790.70	P if located in front;
18				C if located elsewhere
19				§ 145.2(a)
20	717.25	Drive-Up Facility	§ 790.30	
21	717.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.;
22				C if not recessed

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			§ 145.2(b)		
717.27	Hours of Operation	§ 790.48	P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.		
717.30	General Advertising Sign	§§ 262, 602 - 604, 608, 609			
717.31	Business Sign	§§ 262, 602 - 604, 608, 609	P § 607.1(f) 2		
717.32	Other Signs	§§ 262, 602 - 604, 608, 609	P § 607.1(c) (d) (g)		
No.	Zoning Category	§ References	Outer Clement Street		
			Controls by Story		
		§790.118	1st	2nd	3rd+
717.38	Residential Conversion	§ 790.84	P		
717.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
717.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ 790.102	P		
717.41	Bar	§ 790.22	<u>C</u>		
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717.42	Full-Service Restaurant	§ 790.92	<u>C</u>		
			#		
717.43	Large Fast Food Restaurant	§ 790.90	<u>C</u>		
			#		
717.44	Small Self-Service Restaurant	§ 790.91	<u>C</u>		
			#		
717.45	Liquor Store	§ 790.55	C		
717.46	Movie Theater	§ 790.64	P		
717.47	Adult Entertainment	§ 790.36			
717.48	Other Entertainment	§ 790.38	C		
717.49	Financial Service	§ 790.110	C		
717.50	Limited Financial Service	§ 790.112	C		
717.51	Medical Service	§ 790.114	P		
717.52	Personal Service	§ 790.116	P		
717.53	Business or Professional Service	§ 790.108	P		
717.54	Massage Establishment	§ 790.60, § 1900 Health Code			
717.55	Tourist Hotel	§ 790.46			

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717.56	Automobile Parking	§§ 790.8, 156, 160	C	C	
717.57	Automotive Gas Station	§ 790.14			
717.58	Automotive Service Station	§ 790.17			
717.59	Automotive Repair	§ 790.15			
717.60	Automotive Wash	§ 790.18			
717.61	Automobile Sale or Rental	§ 790.12			
717.62	Animal Hospital	§ 790.6	C		
717.63	Ambulance Service	§ 790.2			
717.64	Mortuary	§ 790.62			
717.65	Trade Shop	§ 790.124	P		
717.66	Storage	§ 790.117			
717.67	Video Store	§ 790.135	<u>P</u> E	C	
717.68	Fringe Financial Service	§ 790.111			
717.69	Tobacco Paraphernalia Establishments	§ 790.123	C		
717.69A	Self-Service Specialty	§ 790.93	<u>C</u>		

	Food		#		
717.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.94			
717.69C	Neighborhood Agriculture	§ 102.35(a)	P	P	P
717.69D	Large-Scale Urban Agriculture	§ 102.35(b)	C	C	C
Institutions and Non-Retail Sales and Services					
717.70	Administrative Service	§ 790.106			
717.80	Hospital or Medical Center	§ 790.44			
717.81	Other Institutions, Large	§ 790.50	P	C	C
717.82	Other Institutions, Small	§ 790.51	P	P	P
717.83	Public Use	§ 790.80	C	C	C
717.84	Medical Cannabis Dispensary	§ 790.141	P		
RESIDENTIAL STANDARDS AND USES					
717.90	Residential Use	§ 790.88	P	P	P
717.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88 (a)	Generally, 1 unit per 600 sq. ft. lot area		

			§ 207.4		
717.92	Residential Density, Group Housing	§§ 207.1, 790.88 (b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
717.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
717.94	Off-Street Parking, Residential	§§ 150, 153 - 157, 159 - 160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
717.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE OUTER CLEMENT STREET NEIGHBORHOOD

COMMERCIAL DISTRICT

<p>§§ 717.41, 717.42, 717.43, 717.44, and 717.69A</p>	<p>§ 790.34</p>	<p><u>OUTER CLEMENT STREET EATING AND DRINKING USES</u></p> <p><u>Boundaries: Applicable to the Outer Clement Street Neighborhood Commercial District</u></p> <p><u>Controls: An eating or drinking use restaurant or a bar may be permitted as a principal use if the total ground floor street frontage of the Outer Clement Neighborhood Commercial District dedicated to</u></p>
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1 eating and drinking uses, as defined in Section 790.34 is less than
2 30% of the total street frontage of the district. If the total ground level
3 street frontage dedicated to eating and drinking uses exceeds 30%,
4 then food and drink uses may be approved with conditional use
5 authorization.
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9 Section 7. The San Francisco Planning Code is hereby amended by amending Section
10 781.4, to read as follows:

11 **SEC. 781.4. GEARY BOULEVARD FORMULA RETAIL PET SUPPLY STORE AND FORMULA**
12 **RETAIL EATING AND DRINKING ~~FAST FOOD~~ SUBDISTRICT.**

13 In order to preserve the mix and variety of goods and services provided to the
14 Richmond neighborhood and City residents and prevent further proliferation of formula retail
15 pet supply stores and eating and drinking uses ~~fast food restaurant~~ uses, and prevent further
16 aggravation of parking and traffic congestion in this district, there shall be a Geary Boulevard
17 Formula Retail Pet Supply Store ~~Fast Food~~ and Formula Retail Eating and Drinking ~~Fast Food~~
18 Subdistrict, generally applicable for the NC-3-zoned portion of Geary Boulevard between 14th
19 and 28th Avenues, as designated on Sectional Maps 3SU and 4SU of the Zoning Map. The
20 following provisions shall apply within such subdistrict:

21 (a) A retail use, as defined in Section 790.102(g) of this Code, that is a pet supply store and
22 also a formula retail use, as defined in Section 703.3(b) of this Code, shall not be permitted in this
23 subdistrict. For purposes of this section, a "pet supply store" shall be defined as a retail use which
24 sells devotes more than 50% of its occupied floor space to pet food, toys, apparatus, and similar
25 pet items for sale. A large fast food restaurant, as defined in Section 790.90 of this Code, shall not be

1 ~~permitted in this subdistrict.~~ An eating and drinking use, as defined in Section 790.34 of this
2 Code, that is also a formula retail use, as defined in Section 703.3(b) of this Code, shall not be
3 permitted in this Subdistrict.

4 (b) The provisions of Sections 180 through 186.1 of this Code shall govern formula
5 retail pet supply stores ~~and eating and drinking uses~~ large fast food restaurants which existed
6 lawfully at the effective date of this Code in this subdistrict.

7 Section 8. Effective Date. This ordinance shall become effective 30 days from the
8 date of passage.

9
10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By:


13 ANDREA RUIZ-ESQUIDE
14 Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

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

File Number: 110592

Date Passed: August 02, 2011

Ordinance amending the San Francisco Planning Code Sections 263.20, 712.1, 716.1, and 781.4 to: 1) allow one additional eating and drinking use as principally permitted in the Inner Clement Neighborhood Commercial Districts and allow any additional eating and drinking use in that district as conditionally permitted; 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial District with a conditional use permit; 3) remove the prohibition on large fast-food restaurants and prohibit formula retail pet supply stores and formula retail eating and drinking uses in the Geary Boulevard Fast-Food Subdistrict; 4) make video stores a principally permitted use on the ground floor in the NC-3 and the Inner Clement and Outer Clement Neighborhood Commercial Districts; and 5) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

July 18, 2011 Land Use and Economic Development Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 18, 2011 Land Use and Economic Development Committee - CONTINUED AS AMENDED

July 25, 2011 Land Use and Economic Development Committee - RECOMMENDED AS COMMITTEE REPORT

July 26, 2011 Board of Supervisors - PASSED ON FIRST READING

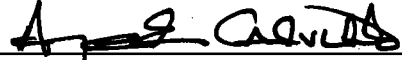
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar and Mirkarimi
Noes: 3 - Chu, Elsbernd and Wiener

August 02, 2011 Board of Supervisors - FINALLY PASSED

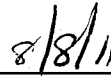
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar and Mirkarimi
Noes: 3 - Chu, Elsbernd and Wiener

File No. 110592

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
8/2/2011 by the Board of Supervisors of the
City and County of San Francisco.



Angela Calvillo
Clerk of the Board


Mayor Edwin Lee

Date Approved