

**REVISED LEGISLATIVE DIGEST**

(Amended in Committee, 7/23/18)

[Planning Code - Permit Review Procedures and Zoning Controls - Neighborhood Commercial Districts in Supervisorial Districts 4 and 11]

**Ordinance amending the Planning Code to create a two-year pilot program removing public notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in Supervisorial Districts 4 and 11; modifying zoning controls for certain uses in Supervisorial Districts 4 and 11; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.**

Existing Law

Planning Code Section 312 requires the Planning Department to review an application for a building permit in Neighborhood Commercial Districts (NCDs) for consistency with the Planning Code and applicable design guidelines for specified Uses. Existing law also requires the Planning Department to conduct a neighborhood notification, which goes out to residents and property owners located within 150 feet of the subject property and registered neighborhood groups for a 30-day public review period. A request for the Planning Commission to exercise its discretionary review authority must be made in this 30-day period.

Planning Code section 710 sets forth the zoning controls for Neighborhood Commercial Cluster Districts (NC-1) across the City. Planning Code section 711 sets forth the zoning controls for Small-Scale Neighborhood Commercial Districts (NC-2) across the City. The Planning Code recognizes that some NCDs are unique in character. For those districts, the City has developed individually named NCDs. Examples include: the Excelsior Outer Mission NCD, the Noriega NCD, the Irving Street NCD, the Taraval Street NCD, and the Judah Street NCD.

Amendments to Current Law

This amendment would create a two-year pilot program in Supervisorial Districts 4 and 11 to remove from the notice requirements of Section 312(d) permit applications for the following Uses: Bar, General Entertainment, Limited Restaurant, Liquor Store, Massage Establishment, Nighttime Entertainment, Outdoor Activity Area, Private Community Facility, Public Community Facility, Restaurant, Tobacco Paraphernalia Establishment. This amendment would also remove the ability to request the Planning Commission to exercise its discretionary

review authority over those permit applications. Under the terms of the ordinance, the pilot program would expire 24 months from the date of enactment, unless it is reenacted.

The amendment would also change the zoning controls certain uses within supervisorial districts 4 and 11.

All references to Supervisorial Districts are pursuant to district maps as of the date of enactment.

### Background Information

The ordinance shall be known as the Small Business Attraction Program in Supervisorial Districts 4 and 11. By removing the 30-day notice requirement and ability to request discretionary review by the Planning Commission, this pilot program in Supervisorial Districts 4 and 11 is intended to remove some of the barriers for small businesses in those districts.

Changes to the zoning controls are intended to reflect the policy and priorities appropriate for each supervisorial district.

This version makes changes to the zoning controls in the named NCs in supervisorial district 4 (Noriega, Irving, Taraval, and Judah) for Arts Activities. This version also creates a requirement for the Planning Department and the Mayor's Office of Economic and Workforce Development to jointly prepare a report to evaluate the successes of the pilot program 20 months after the passage of this ordinance.

This version reconciles changes in this amendment and recent amendments to sections 311 and 312 made in Board file 180423.

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