

1 [Zoning – modifying the definition of liquor store to remove prohibitions on grocery stores and
2 similar uses.]

3 **Ordinance amending Planning Code by amending Section 790.55 to further define**
4 **grocery stores.**

5 Note: Additions are single-underline italics Times New Roman;
6 deletions are ~~strikethrough italics Times New Roman~~.
7 Board amendment additions are double underlined.
8 Board amendment deletions are ~~strikethrough-normal~~.

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

9 Section 1. The San Francisco Planning Code is hereby amended by amending Section
10 790.55, to read as follows:

11 **SEC. 790.55. LIQUOR STORE.**

12 A retail use which sells beer, wine, or distilled spirits to a customer in an open or closed
13 container for consumption off the premises and which needs a State of California Alcoholic
14 Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general).

15 This classification shall not include retail uses that (1) are classified as a general grocery store use as
16 set forth in Section 790.102(a) or (2) have both (a) a use size as defined in Section 790.130 of this Code
17 of greater than 10,000 gross square feet and (b) a gross floor area devoted to alcoholic beverages that
18 is within accessory use limits as set forth in Section ~~240.2~~ 204.2 or 703.2(b)(1)(c) of this Code,

19 depending on the zoning district in which the use is located. For purposes of Planning Code
20 Sections 249.5, 781.8, 781.9, 782, 783, and 784, the retail uses explicitly exempted from this
21 definition as set forth above shall not:


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

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

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

4
5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

7 By:


8 John Malamut
9 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 071532

Date Passed:

Ordinance amending Planning Code Sections 790.55 to further define grocery stores.

November 6, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

November 13, 2007 Board of Supervisors — FINALLY PASSED

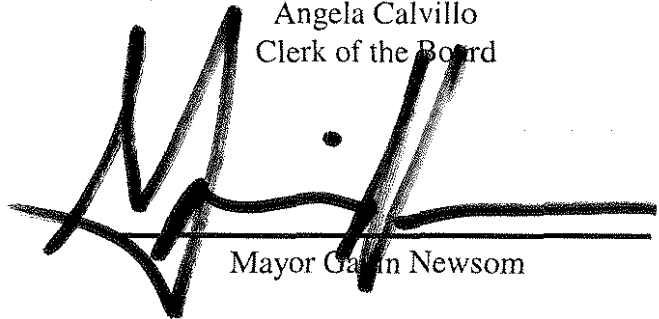
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 071532

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on November 13,
2007 by the Board of Supervisors of the City
and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom

11-14-07

Date Approved