

1 [Planning Code - Arcades in the Upper Market Street Neighborhood Commercial Transit  
District]

2 **Ordinance amending the Planning Code to permit arcades in the Upper Market Street**  
3 **Neighborhood Commercial Transit District; affirming the Planning Department’s**  
4 **determination under the California Environmental Quality Act; and making findings of**  
5 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
6 **Section 101.1.**

7  
8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
11 **Board amendment additions** are in double-underlined Arial font.  
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
13 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
14 subsections or parts of tables.

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

16 Section 1. Findings.

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

21 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted  
22 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
23 City’s General Plan and eight priority policies of Planning Code Section 101.1. The Board  
24  
25

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the  
 2 Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that these  
 4 Planning Code amendments will serve the public necessity, convenience and welfare for the  
 5 reasons set forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board of  
 6 Supervisors hereby incorporates such reasons herein by reference.

7

8 Section 2. The Planning Code is hereby amended by revising Section 733, to read as  
 9 follows:

**SEC. 733. UPPER MARKET STREET NEIGHBORHOOD  
 COMMERCIAL TRANSIT DISTRICT  
 ZONING CONTROL TABLE**

\* \* \* \*

| No.     | Zoning Category                                      | § References | Upper Market Street Transit |          |      |
|---------|--|--------------|-----------------------------|----------|------|
|         |  |              | Controls by Story           |          |      |
|         |  |              | 1st                         | 2nd      | 3rd+ |
| * * * * |  |              |                             |          |      |
| 733.48  | Other Entertainment                                  | § 790.38     | <u>C#</u>                   | -        | -    |
| * * * * |  |              |                             |          |      |
| 733.69B | Amusement Game Arcade (Mechanical Amusement Devices) | § 790.4      | <u>P</u>                    | <u>P</u> |      |
| * * * * |  |              |                             |          |      |

23  
 24  
 25

**SPECIFIC PROVISIONS FOR THE UPPER MARKET STREET  
NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT**

| <b>Article 7<br/>Code Section</b>  | <b>Other Code<br/>Section</b>  | <b>Zoning Controls</b>  |
|--|--------------------------------|---|
| <p style="text-align: center;">* * * *</p> <p><u>§ 733.48</u></p> <p style="text-align: center;">* * * *</p> | <p><u>§§ 790.4, 790.38</u></p> | <p><i>Within the Upper Market Neighborhood Commercial<br/>Transit District, up to four mechanical amusement<br/>devices are considered an accessory use and up to ten<br/>mechanical amusement devices will be considered an<br/>Amusement Game Arcade use.</i></p> |

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: \_\_\_\_\_  
JUDITH A. BOYAJIAN  
Deputy City Attorney

n:\legana\as2014\1500216\00979912.doc