

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

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

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

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

19 Section 1. Findings.

20 (a) This ordinance shall be known as the Small Business Attraction Program in
21 Supervisorial Districts 4 and 11.

22 (b) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25 Supervisors in File No. 180482 and is incorporated herein by reference. The Board affirms
this determination.

1 (c) On July 12, 2018, the Planning Commission, in Resolution No. 20230, adopted
2 findings that the actions contemplated in this ordinance are consistent, on balance, with the
3 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5 Board of Supervisors in File No. 180482, and is incorporated herein by reference.

6 (d) Pursuant to Planning Code Section 302, the Board finds that this Planning Code
7 amendment will serve the public necessity, convenience, and welfare for the reasons set forth
8 in Planning Commission Resolution No. 20230, and the Board incorporates such reasons
9 herein by reference.

10
11 Section 2. The Planning Code is hereby amended by revising Sections 311, 312, 710,
12 711, 720, 731, 732, 733, and 734 to read as follows:

13 **SEC. 311. RESIDENTIAL PERMIT REVIEW PROCEDURES FOR RH, RM, AND RTO**
14 **DISTRICTS**

15 (a) **Purpose.** The purpose of this Section is to establish procedures for reviewing
16 building permit applications ~~for lots in R Districts in order to~~ determine compatibility of the
17 proposal with the neighborhood and for providing notice to property owners and residents on
18 the site and neighboring the site of the proposed project and to interested neighborhood
19 organizations, so that concerns about a project may be identified and resolved during the
20 review of the permit.

21 (b) **Applicability.** Except as indicated herein, all building permit applications in
22 Residential, NC, NCT, and Eastern Neighborhoods Districts for a change of use;
23 establishment of a Micro Wireless Telecommunications Services Facility; establishment of a
24 Formula Retail Use; demolition, and/or new construction, and/or alteration of residential
25 buildings; and including the removal of an authorized or unauthorized residential unit, in RH,

1 ~~RM, and RTO Districts shall be subject to the notification and review procedures required by~~
2 ~~this Section 311. Subsection 311(e) regarding demolition permits and approval of replacement~~
3 ~~structures shall apply to all R Districts. In addition, all building permit applications that would~~
4 ~~establish Cannabis Retail or Medical Cannabis Dispensary Uses, regardless of zoning district,~~
5 ~~shall be subject to the review procedures required by this Section 311. Notwithstanding the~~
6 ~~foregoing or any other requirement of this Section 311, a change of use to a Child Care~~
7 ~~Facility, as defined in Section 102, shall not be subject to the review requirements of this~~
8 ~~Section 311.~~

9 (1) **Change of Use.** For the purposes of this Section 311, a change of use is
10 defined as follows:

11 (A) **Residential, NC and NCT Districts.** For all Residential, NC, and
12 NCT Districts, a change of use is defined as a change to, or the addition of, any of the
13 following land uses as defined in Section 102 of this Code: Adult Business, Bar, Cannabis
14 Retail, General Entertainment, Group Housing, Limited Restaurant, Liquor Store, Massage
15 Establishment, Medical Cannabis Dispensary, Nighttime Entertainment, Outdoor Activity Area,
16 Post-Secondary Educational Institution, Private Community Facility, Public Community
17 Facility, Religious Institution, Residential Care Facility, Restaurant, School, Tobacco
18 Paraphernalia Establishment, Trade School, and Wireless Telecommunications Facility. A
19 change of use from a Restaurant to a Limited-Restaurant shall not be subject to the provisions
20 of this Section 311. Any accessory massage use in the Ocean Avenue Neighborhood
21 Commercial Transit District shall be subject to the provisions of this Section 311.

22 (i) **NC Districts in Supervisorial Districts 4 and 11.**
23 Notwithstanding subsection (b)(1)(A), for NC Districts in Supervisorial Districts 4 and 11,
24 building permit applications for a change of use to the following uses shall be excepted from
25 the provisions of subsections 311(d) and 311(e):

- 1 Bar
- 2 General Entertainment
- 3 Limited Restaurant
- 4 Liquor Store
- 5 Massage Establishment
- 6 Nighttime Entertainment
- 7 Outdoor Activity Area
- 8 Private Community Facility
- 9 Public Community Facility
- 10 Restaurant
- 11 Tobacco Paraphernalia Establishment

12 (ii) Sunset. Unless reenacted, subsections 311(b)(1)(A)(i)-(ii)
13 shall expire by operation of law 24 months after the effective date of the ordinance in Board
14 File No. _____ . Upon its expiration, the City Attorney is authorized to take steps to remove
15 subsections 311(b)(1)(A)(i)-(ii) from the Planning Code.

16 * * * *

17 *(2d)* **Notification.** Upon determination that an application is in compliance with the
18 development standards of the Planning Code, the Planning Department shall ~~provide notice of~~
19 ~~the proposed project pursuant to the requirements of Section 333 of this Code~~ cause a notice
20 to be posted on the site pursuant to rules established by the Zoning Administrator and shall
21 cause a written notice describing the proposed project to be sent in the manner described
22 below. This notice shall be in addition to any notices required by the Building Code and shall
23 have a format and content determined by the Zoning Administrator. It shall include a
24 description of the proposal compared to any existing improvements on the site with
25 dimensions of the basic features, elevations and site plan of the proposed project including

1 the position of any adjacent buildings, exterior dimensions and finishes, and a graphic
2 reference scale, existing and proposed uses or commercial or institutional business name, if
3 known. The notice shall describe the project review process and shall set forth the mailing
4 date of the notice and the expiration date of the notification period.

5 (1) Written notice shall be mailed to the notification group which shall include
6 the project sponsor, tenants of the subject property, relevant neighborhood organizations as
7 described in subsection 311(d)(4), all individuals having made a written request for
8 notification for a specific parcel or parcels and all owners and, to the extent practical,
9 occupants, of properties in the notification area. For the purposes of Section 311(c)(2),
10 written notice shall also be mailed to tenants of the subject property in unauthorized
11 residential units.

12 (A2) The notification area shall be all properties within 150 feet of the subject
13 lot in the same Assessor's Block and on the block face across from the subject lot. When the
14 subject lot is a corner lot, the notification area shall further include all property on both block
15 faces across from the subject lot, and the corner property diagonally across the street.

16 (B3) The latest City-wide Assessor's roll for names and addresses of owners
17 shall be used for said notice.

18 (C4) The Planning Department shall maintain a list, available for public review,
19 of neighborhood organizations which that have indicated in writing an interest in specific
20 properties or areas. The Such organizations having indicated an interest in the subject lot or
21 its area shall be included in the notification group for the proposed project. Notice to these
22 groups shall be verified by a declaration of mailing signed under penalty of perjury. In the
23 event that such an organization is not included in the notification group for a proposed project
24 as required under this subsection, the proposed project must be re-noticed.

1 (35) Notification Period. All building permit applications shall be held for a
2 period of 30 calendar days from the date of the mailed notice to allow review by residents and
3 owners of neighboring properties and by neighborhood groups.

4 (46) Elimination of Duplicate Notice. The notice provisions of this Section may
5 be waived by the Zoning Administrator for building permit applications for projects that have
6 been, or before approval will be, the subject of a duly noticed public hearing before the
7 Planning Commission or Zoning Administrator, provided that the nature of work for which the
8 building permit application is required is both substantially included in the hearing notice and
9 is the subject of the hearing.

10 (57) Notification Package. The notification package for a project subject to
11 notice under this Section 311 shall include a written notice and reduced-size drawings of the
12 project.

13 (A) The written notice shall compare the proposed project to the existing
14 conditions at the development lot. Change to basic features of the project that are quantifiable
15 shall be disclosed on the written notice. The basic features of existing and proposed
16 conditions shall include, where applicable, front setback, building depth, rear yard depth side
17 setbacks, building height, number of stories, dwelling unit count and use of the building.

18 (B) The written notice shall describe whether the project is a demolition,
19 new construction or alteration project. If the project is an alteration, the type of alteration shall
20 be described: horizontal, vertical or both horizontal and vertical additions and where the
21 alteration is located.

22 (C) Written project description shall be part of the notice. In addition, the
23 notice shall describe the project review process, information on how to obtain additional
24 information and the contact information of the Planning Department.

1 (D) The building permit application number(s) shall be disclosed in the
2 written notice. The start and expiration dates of the notice shall be stated. A description about
3 the recipient's rights to request additional information, to request Discretionary Review by the
4 Planning Commission and to appeal to other boards or commissions shall be provided.

5 (E) 11x17 sized or equivalent drawings to scale shall be included with
6 the Section 311 written notice. The drawings shall illustrate the existing and proposed
7 conditions in relationship to the adjacent properties. All dimensions and text throughout the
8 drawings shall be legible. The drawings shall include a site plan, floor plans and elevations
9 documenting dimensional changes that correspond to the basic features included in the
10 written notice.

11 (F) The existing and proposed site plan shall illustrate the project
12 including the full lots and structures of the directly adjacent properties.

13 (G) The existing and proposed floor plans shall illustrate the location and
14 removal of interior and exterior walls. The use of each room shall be labeled. Significant
15 dimensions shall be provided to document the change proposed by the project.

16 (H) The existing and proposed elevations shall document the change in
17 building volume: height and depth. Dimensional changes shall be documented, including
18 overall building height and also parapets, penthouses and other proposed vertical and
19 horizontal building extensions. The front and rear elevations shall include the full profiles of
20 the adjacent structures including the adjacent structures' doors, windows and general
21 massing. Each side elevation shall include the full profile of the adjacent building in the
22 foreground of the project, and the adjacent windows, lightwells and general massing shall be
23 illustrated.

24 (8) Language Access.

1 (A) All forms of public notice provided pursuant to this Section 311 shall
2 comply with the requirements of the Language Access Ordinance, Chapter 91 of the
3 Administrative Code, to provide vital information about the Department's services or programs
4 in the languages spoken by a Substantial Number of Limited English Speaking Persons, as
5 defined in Chapter 91.

6 (B) The notices required by this Section 311 shall contain the information
7 set forth in Section 311(d)(7)(A)-(D) in the languages spoken by a Substantial Number of
8 Limited English Speaking Persons, as defined in Administrative Code Chapter 91.

9 (9) Online Notice. For the entire duration of the Notification Period established
10 herein, the following notification materials shall be provided on a publicly accessible website
11 that is maintained by the Planning Department:

12 (A) A digital copy formatted to print on 11 x 17 inch paper of the posted
13 notice including the contents set forth in subsection 311(d)(7) for the hearing or application;
14 and

15 (B) Digital copies of any architectural and/or site plans that are scaled
16 and formatted to print on 11 x 17 inch paper, are consistent with Plan Submittal Guidelines
17 maintained and published by the Planning Department, and that describe and compare, at a
18 minimum, the existing and proposed conditions at the subject property, the existing and
19 proposed conditions in relationship to adjacent properties, and that may include a site plan,
20 floor plans, and elevations documenting dimensional changes required to describe the
21 proposal.

22 ~~(e)~~ **Requests for Planning Commission Review.** A request for the Planning
23 Commission to exercise its discretionary review powers over a specific building permit
24 application shall be considered by the Planning Commission if received by the Planning
25 Department no later than 5:00 p.m. of the last day of the notification period as described

1 ~~under this Section 311 Subsection (c)(3) above~~, subject to guidelines adopted by the
2 Planning Commission. The project sponsor of a building permit application may request
3 discretionary review by the Planning Commission to resolve conflicts between the Director of
4 Planning and the project sponsor concerning requested modifications to comply with the
5 Residential Design Guidelines, or other applicable design guidelines.

6 (1) **Scheduling of Hearing.** The Zoning Administrator shall set a time for
7 hearing requests for discretionary review by the Planning Commission within a reasonable
8 period.

9 (2) **Notice.** Mailed notice of the discretionary review hearing by the Planning
10 Commission shall be given pursuant to the requirements of Section 333 of this Code. ~~this~~
11 ~~Section 311.~~ not less than 10 days prior to the date of the hearing to the notification group as
12 described in Paragraph 311(c)(2) above. ~~Posted notice of the hearing shall be made as~~
13 ~~provided under Planning Code Section 306.8.~~

14
15
16 ~~SEC. 312. PERMIT REVIEW PROCEDURES FOR ALL NC AND EASTERN~~
17 ~~NEIGHBORHOODS MIXED USE DISTRICTS AND FOR CANNABIS RETAIL AND MEDICAL~~
18 ~~CANNABIS DISPENSARY USES IN ALL NON-RESIDENTIAL ZONING DISTRICTS.~~

19 * * * *

20 (e) — Changes of Use.

21 ————— (1) — NC Districts. In NC Districts, all building permit applications for a
22 change of use to, or the establishment of, the following uses shall be subject to the provisions
23 of subsection 312(d) except as stated below:

24 ————— Adult Business

25 ————— Bar

- 1 ~~_____ Cannabis Retail~~
- 2 ~~_____ General Entertainment~~
- 3 ~~_____ Group Housing~~
- 4 ~~_____ Limited Restaurant~~
- 5 ~~_____ Liquor Store~~
- 6 ~~_____ Massage Establishment~~
- 7 ~~_____ Medical Cannabis Dispensary~~
- 8 ~~_____ Nighttime Entertainment~~
- 9 ~~_____ Outdoor Activity Area~~
- 10 ~~_____ Post-Secondary Educational Institution~~
- 11 ~~_____ Private Community Facility~~
- 12 ~~_____ Public Community Facility~~
- 13 ~~_____ Religious Institution~~
- 14 ~~_____ Residential Care Facility~~
- 15 ~~_____ Restaurant~~
- 16 ~~_____ School~~
- 17 ~~_____ Tobacco Paraphernalia Establishment~~
- 18 ~~_____ Trade School~~
- 19 ~~_____ However, a change of use from a Restaurant to a Limited-~~
- 20 ~~Restaurant shall not be subject to the provisions of subsection 312(d). In addition, any~~
- 21 ~~accessory massage use in the Ocean Avenue Neighborhood Commercial Transit District shall~~
- 22 ~~be subject to the provisions of subsection 312(d).~~
- 23 ~~_____ (A) _____ NC Districts in Supervisorial Districts 4 and 11.~~
- 24 ~~Notwithstanding subsection (c)(1), for NC Districts in Supervisorial Districts 4 and 11, building~~
- 25

1 permit applications for a change of use to, or the establishment of, the following uses shall be
2 excepted from the provisions of subsections 312(d)(2)-(3) and 312(e):

- 3 Bar
- 4 General Entertainment
- 5 Limited Restaurant
- 6 Liquor Store
- 7 Massage Establishment
- 8 Nighttime Entertainment
- 9 Outdoor Activity Area
- 10 Private Community Facility
- 11 Public Community Facility
- 12 Restaurant
- 13 Tobacco Paraphernalia Establishment

14 _____ (B) — Sunset. Unless reenacted, subsections 312(c)(1)(A)-(B)
15 shall expire by operation of law 24 months after the effective date of the ordinance in Board
16 File No. _____. Upon its expiration, the City Attorney is authorized to take steps to remove
17 subsections 312(c)(1)(A)-(B) from the Planning Code.

18 (d) — Building Permit Application Review for Compliance and Notification. Upon
19 acceptance of any application subject to this Section 312, the Planning Department shall
20 review the proposed project for compliance with the Planning Code and any applicable design
21 guidelines approved by the Planning Commission. Applications determined not to be in
22 compliance with the standards of Articles 1.2, 1.5, 2, and 2.5 of the Planning Code, including
23 design guidelines for specific areas adopted by the Planning Commission, or with any
24 applicable conditions of previous approvals regarding the project, shall be held until either the
25

1 application is determined to be in compliance, is disapproved, or a recommendation for
2 cancellation is sent to the Department of Building Inspection.

3 (1) Neighborhood Commercial Design Guidelines. The construction of
4 new buildings and alteration of existing buildings in NC Districts shall be consistent with the
5 design policies and guidelines of the General Plan as adopted and periodically amended for
6 specific areas or conditions by the Planning Commission. The Director of Planning may
7 require modifications to the exterior of a proposed new building or proposed alteration of an
8 existing building in order to bring it into conformity with the General Plan. These modifications
9 may include, but are not limited to, changes in siting, building envelope, scale texture and
10 detailing, openings, and landscaping.

11 (2) Notification. Upon determination that an application is in
12 compliance with the development standards of the Planning Code, the Planning Department
13 shall cause a notice to be posted on the site pursuant to rules established by the Zoning
14 Administrator and shall cause a written notice describing the proposed project to be sent in
15 the manner described below. This notice shall be in addition to any notices required by the
16 Building Code and shall have a format and content determined by the Zoning Administrator. It
17 shall include a description of the proposal compared to any existing improvements on the site
18 with dimensions of the basic features, elevations, and site plan of the proposed project
19 including the position of any adjacent buildings, exterior dimensions and finishes, a graphic
20 reference scale, existing and proposed uses, and commercial or institutional business name,
21 if known. The notice shall describe the project review process and shall set forth the mailing
22 date of the notice and the expiration date of the notification period.

23 Written notice shall be mailed to the notification group which shall
24 include the project sponsor, tenants of the subject property, relevant neighborhood
25 organizations as described in Subparagraph subsection 312(d)(2)(C) below, all individuals

1 having made a written request for notification for a specific parcel or parcels, and all owners
2 and, to the extent practical, occupants, of properties in the notification area. For the purposes
3 of Section 312(h) below, written notice shall also be mailed to tenants of the subject property
4 in unauthorized residential units.

5 ~~_____ (A) The notification area shall be all properties within 150 feet of~~
6 ~~the subject lot in the same Assessor's Block and on the block face across from the subject lot.~~
7 ~~When the subject lot is a corner lot, the notification area shall further include all property on~~
8 ~~both block faces across from the subject lot, and the corner property diagonally across the~~
9 ~~street.~~

10 ~~_____ (B) The latest City-wide Assessor's roll for names and~~
11 ~~addresses of owners shall be used for said notice.~~

12 ~~_____ (C) The Planning Department shall maintain a list, updated~~
13 ~~every six months with current contact information, available for public review, and kept at the~~
14 ~~Planning Department's Planning Information Counter, and reception desk, as well as the~~
15 ~~Department of Building Inspection's Building Permit Counter, of neighborhood organizations~~
16 ~~which have indicated an interest in specific properties or areas. The organizations having~~
17 ~~indicated an interest in the subject lot or its area shall be included in the notification group for~~
18 ~~the proposed project. Notice to these groups shall be verified by a declaration of mailing~~
19 ~~signed under penalty of perjury. In the event that such an organization is not included in the~~
20 ~~notification group for a proposed project as required under this subsection 312(d)(2), the~~
21 ~~proposed project must be re-noticed.~~

22 ~~_____ (3) Notification Period. All building permit applications shall be held for~~
23 ~~a period of 30 calendar days from the date of the mailed notice to allow review by residents,~~
24 ~~occupants, owners of neighboring properties, and by neighborhood groups.~~

1 ~~————— (4) — Elimination of Duplicate Notice. The notice provisions of this~~
2 ~~Section subsection 312(d)(2) may be waived by the Zoning Administrator for building permit~~
3 ~~applications for projects that have been, or before approval will be, the subject of a duly~~
4 ~~noticed public hearing before the Planning Commission or Zoning Administrator, provided that~~
5 ~~the nature of work for which the building permit application is required is both substantially~~
6 ~~included in the hearing notice and is the subject of the hearing.~~

7 ~~————— (e) — Requests for Planning Commission Review. A request for the Planning~~
8 ~~Commission to exercise its discretionary review powers over a specific building permit~~
9 ~~application shall be considered by the Planning Commission if received by the Planning~~
10 ~~Department no later than 5:00 p.m. of the last day of the notification period as described~~
11 ~~under Ssubsection (d)(3) above, subject to guidelines adopted by the Planning Commission.~~

12 ~~————— The project sponsor of a building permit application may request~~
13 ~~discretionary review by the Planning Commission to resolve conflicts between the Director of~~
14 ~~Planning and the project sponsor concerning requested modifications to comply with relevant~~
15 ~~design guidelines of the General Plan.~~

16 ~~————— (1) — Scheduling of Hearing. The Zoning Administrator shall set a time~~
17 ~~for hearing requests for discretionary review by the Planning Commission within a reasonable~~
18 ~~period.~~

19 ~~————— (2) — Notice. Mailed notice of the discretionary review hearing by the~~
20 ~~Planning Commission shall be given not less than 10 days prior to the date of the hearing to~~
21 ~~the notification group as described in Paragraph subsection 312(d)(2) above. Posted notice of~~
22 ~~the hearing shall be made as provided under Planning Code Section 306.8.~~

23 * * * *

24
25 **SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.**

1 * * * *

2 **Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1**
3 **ZONING CONTROL TABLE**

4 * * * *

| Zoning Category | § References | Controls | | |
|--|-------------------------|--------------------------|--------------|--------------|
| NON-RESIDENTIAL USES | | Controls by Story | | |
| | | 1st | 2nd | 3rd+ |
| * * * * | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <i>Arts Activities</i> | <i>§ 102</i> | <i>NP(7)</i> | <i>NP(6)</i> | <i>NP(6)</i> |
| * * * * | | | | |
| Sales and Service Use Category | | | | |
| Retail Sales and Service Uses* | § 102 | P(2) | NP | NP |
| * * * * | | | | |
| Animal Hospital | § 102 | NP | NP | NP |
| <i>Bar</i> | <i>§§ 102, 202.2(a)</i> | <i>P(2)(6)</i> | <i>NP</i> | <i>NP</i> |
| * * * * | | | | |
| Liquor Store | § 102 | P(6) | NP | NP |
| * * * * | | | | |

22 * Not listed below

23 (1) Additional 5 feet for NC-1 parcels with a Commercial use on the ground floor
24 within the following areas:
25

1 (a) Within the boundaries of Sargent Street to Orizaba Avenue to Lobos
 2 Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to
 3 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street.

4 (b) On Noriega, Irving, Taraval and Judah Streets west of 19th Avenue.

5 (2) P if located more than $\frac{1}{4}$ one-fourth mile from any NC District or Restricted Use
 6 Subdistrict with more restrictive controls; otherwise, same as more restrictive control.

7 (3) [Note deleted.]

8 (4) C required for 7 or more persons.

9 (5) C if a Macro WTS Facility; P if a Micro WTS Facility.

10 (6) C in Supervisorial District 4.

11 (7) P in Supervisorial District 4.

12
 13 **SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

14 * * * *

15 **Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2**
 16 **ZONING CONTROL TABLE**

17 * * * *

| Zoning Category | § References | Controls | | |
|--|--------------|--------------------------|--------------|--------------|
| NON-RESIDENTIAL USES | | Controls by Story | | |
| | | 1st | 2nd | 3rd+ |
| * * * * | | | | |
| <u>Entertainment, Arts and Recreation Use Category</u> | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <u>Arts Activities</u> | <u>§ 102</u> | <u>NP(8)</u> | <u>NP(9)</u> | <u>NP(9)</u> |

| | | | | |
|---------------------------------------|------------------|------|----|----|
| * * * * | | | | |
| Sales and Service Use Category | | | | |
| * * * * | | | | |
| Bar | §§ 102, 202.2(a) | P(9) | NP | NP |
| * * * * | | | | |
| Liquor Store | § 102 | P(9) | NP | NP |
| * * * * | | | | |
| Massage, Foot/Chair | § 102 | P(9) | NP | NP |
| * * * * | | | | |

* Not listed below

(1) Additional 5 feet for NC-2 parcels zoned 40' or 50' with an Active Use on the ground floor within the following areas: Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue.

(2) [Note deleted.]

(3) C required for seven or more persons.

(4) TARAVAL STREET RESTAURANT SUBDISTRICT: Applicable only for the Taraval Street NC-2 District between 12th and 19th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Restaurants, Limited-Restaurants are C; Formula Retail Restaurants and Limited-Restaurants are NP.

(5) CHESTNUT STREET FINANCIAL SERVICE SUBDISTRICT: NP for properties on Chestnut Street zoned NC-2 from Broderick to Fillmore Streets as mapped on Sectional Map 2 SU.

(6) FRINGE FINANCIAL SPECIAL USE DISTRICT: The FFSUD and its ¼ mile buffer includes, but is not limited to, properties within: the Mission Alcoholic Beverage Special Use District¹ the Haight Street Alcohol Restricted Use District; the Third Street Alcohol

1 Restricted Use District; the Divisadero Street Alcohol Restricted Use District; the North of
 2 Market Residential Special Use District and the Assessor’s Blocks and Lots fronting on both
 3 sides of Mission Street from Silver Avenue to the Daly City borders as set forth in Special Use
 4 District Maps SU11 and SU12; and includes Small-Scale Neighborhood Commercial Districts
 5 within its boundaries.

6 Controls: Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP
 7 pursuant to Section 249.35. Outside the FFSRUD and its ¼ mile buffer, fringe financial
 8 services are P subject to the restrictions set forth in subsection 249.35(c)(3).

9 (7) C if a Macro WTS Facility; P if a Micro WTS Facility.

10 (8) P in Supervisorial District 4.

11 (9) C in Supervisorial District 4.

12

13 **SEC. 720. EXCELSIOR OUTER MISSION NEIGHBORHOOD COMMERCIAL**
 14 **DISTRICT.**

15 * * * *

16 **Table 720. EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL**
 17 **DISTRICT**
 18 **ZONING CONTROL TABLE**

19 * * * *

| Zoning Category | § References | Controls | | |
|--|--------------|--------------------------|------------|-------------|
| NON-RESIDENTIAL | | Controls by Story | | |
| STANDARDS AND USES | | 1st | 2nd | 3rd+ |
| * * * * | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |

25

| | | | | | |
|----|---|------------------|---------------|---------------|---------------|
| 1 | Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| 2 | | | | | |
| 3 | Arts Activities | § 102 | NP | NP | NP |
| 4 | **** | | | | |
| 5 | Passive Outdoor Recreation | § 102 | <u>CP</u> | <u>CP</u> | <u>CP</u> |
| 6 | **** | | | | |
| 7 | Institutional Use Category | | | | |
| 8 | Institutional Uses* | § 102 | P | P | P |
| 9 | <i>Community Facility</i> | <u>§ 102</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| 10 | Hospital | § 102 | C | C | C |
| 11 | <i>Job Training</i> | <u>§ 102</u> | <u>NP</u> | <u>P</u> | <u>P</u> |
| 12 | Medical Cannabis Dispensary** | §§ 102, 202.2(e) | DR | DR | DR |
| 13 | Philanthropic Admin. Services | § 102 | NP | NP | NP |
| 14 | <i>Philanthropic Facility</i> | <u>§ 102</u> | <u>NP</u> | <u>P</u> | <u>P</u> |
| 15 | <i>Private Community Facility</i> | <u>§ 102</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| 16 | Public Facilities | § 102 | C | C | C |
| 17 | <i>Religious Institution</i> | <u>§ 102</u> | <u>C</u> | <u>C</u> | <u>C</u> |
| 18 | <i>Social Service</i> | <u>§ 102</u> | <u>NP</u> | <u>P</u> | <u>P</u> |
| 19 | **** | | | | |
| 20 | Sales and Service Use Category | | | | |
| 21 | **** | | | | |
| 22 | Animal Hospital | § 102 | <u>CP</u> | <u>CP</u> | NP |
| 23 | **** | | | | |
| 24 | Massage, Foot/Chair | § 102 | <u>PC</u> | C | <u>NPC</u> |
| 25 | | | | | |

| | | | | | |
|---|-----------------------------|--------------|-------------|-------------|---------------|
| 1 | **** | | | | |
| 2 | Restaurant | § 102 | P | P | NP |
| 3 | **** | | | | |
| 4 | Services, Limited Financial | § 102 | <u>PC</u> | <u>PC</u> | <u>NPC</u> |
| 5 | <u>Services, Personal</u> | <u>§ 102</u> | <u>P(4)</u> | <u>P(4)</u> | <u>P(4)</u> |
| 6 | **** | | | | |

7 * Not listed below

8 (1) OFF-SALE LIQUOR ESTABLISHMENTS

9 Controls:

10 (a) New Liquor Store uses with Type 20 or Type 21 ABC licenses are not
 11 permitted in the district; provided, however, that any use within the District with an existing
 12 Type 20 or Type 21 ABC license may obtain a new license, if required by the ABC, after it has
 13 been closed temporarily for repair, renovation, remodeling, or reconstruction.

14 (b) Liquor Store uses may relocate within the district with Conditional Use
 15 authorization.

16 (c) General Grocery, Specialty Grocery, and Liquor Store uses with off-sale
 17 alcohol licenses shall observe the following good neighbor policies:

18 (i) Liquor establishments shall provide outside lighting in a manner
 19 sufficient to illuminate street and sidewalk areas and adjacent parking, as appropriate to
 20 maintain security, without disturbing area residences;

21 (ii) Advertisements in windows and clear doors are not permitted, and
 22 no more than 25% of the square footage of the windows and clear doors of liquor
 23 establishments shall bear signage of any sort, and all signage shall be placed and maintained
 24 in a manner that ensures that law enforcement personnel have a clear and unobstructed view
 25

1 of the interior of the premises, including the area in which the cash registers are maintained,
 2 from the exterior public sidewalk or entrance to the premises.

3 (2) FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)

4 Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to,
 5 properties within the Excelsior Outer Mission Street Neighborhood Commercial District.

6 Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP
 7 pursuant to Section 249.35. Outside the FFSRUD and its 1/4 mile buffer, fringe financial
 8 services are P subject to the restrictions set forth in Section 249.35(c)(3).

9 (3) C if a Macro WTS Facility; P if a Micro WTS Facility.

10 (4) C for Personal Service Uses operating as a salon and/or providing cosmetic services.

11
 12 **SEC. 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

13 * * * *

14 **Table 731. NORIEGA STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 15 **ZONING CONTROL TABLE**

16 * * * *

| Zoning Category | § References | Controls | | |
|--|--------------|--------------------------|------------|-------------|
| NON-RESIDENTIAL | | Controls by Story | | |
| STANDARDS AND USES | | 1st | 2nd | 3rd+ |
| * * * * | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <u>Arts Activities</u> | <u>§ 102</u> | <u>P</u> | <u>C</u> | <u>C</u> |
| * * * * | | | | |

| Sales and Service Use Category | | | | |
|--------------------------------|-------|-----------|----|----|
| **** | | | | |
| Massage, Foot/Chair | § 102 | <u>PC</u> | NP | NP |
| **** | | | | |

SEC. 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

**Table 732. IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| Zoning Category | § References | Controls | | |
|---|--------------|--------------------------|------------|-------------|
| NON-RESIDENTIAL | | Controls by Story | | |
| STANDARDS AND USES | | 1st | 2nd | 3rd+ |
| **** | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <u>Arts Activities</u> | <u>§ 102</u> | <u>P</u> | <u>C</u> | <u>C</u> |
| **** | | | | |
| Sales and Service Use Category | | | | |
| **** | | | | |
| Massage, Foot/Chair | § 102 | <u>PC</u> | NP | NP |
| **** | | | | |

SEC. 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

**Table 733. TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| Zoning Category | § References | Controls | | |
|--|--------------|--------------------------|------------|-------------|
| NON-RESIDENTIAL | | Controls by Story | | |
| STANDARDS AND USES | | 1st | 2nd | 3rd+ |
| **** | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <u>Arts Activities</u> | <u>§ 102</u> | <u>P</u> | <u>C</u> | <u>C</u> |
| **** | | | | |
| Sales and Service Use Category | | | | |
| **** | | | | |
| Massage, Foot/Chair | § 102 | <u>PC</u> | NP | NP |
| **** | | | | |

SEC. 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

**Table 734. JUDAH STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

| Zoning Category | § References | Controls | | |
|--|--------------|--------------------------|------------|-------------|
| NON-RESIDENTIAL | | Controls by Story | | |
| STANDARDS AND USES | | 1st | 2nd | 3rd+ |
| * * * * | | | | |
| Entertainment, Arts and Recreation Use Category | | | | |
| Entertainment, Arts and Recreation Uses* | § 102 | NP | NP | NP |
| <u>Arts Activities</u> | <u>§ 102</u> | <u>P</u> | <u>C</u> | <u>C</u> |
| * * * * | | | | |
| Sales and Service Use Category | | | | |
| * * * * | | | | |
| Massage, Foot/Chair | § 102 | <u>PC</u> | NP | NP |
| * * * * | | | | |

Section 3. Report to the Board of Supervisors. 20 months after the effective date of the ordinance in Board File No. 180482, the Planning Department and the Mayor’s Office of Economic and Workforce Development shall jointly submit a report to the Board of Supervisors describing the number of permit applications submitted pursuant to Section 312(c)(1)(A) and an evaluation of the impacts of that subsection.

Section ~~34~~. 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.

1 Section 45. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

7

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

10 By: _____
11 AUSTIN M. YANG
12 Deputy City Attorney

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