

1 [Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor
2 Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial
3 Districts]

4 **Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20**
5 **to permit a five feet ground floor height increase for active ground floor uses in the**
6 **Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2)**
7 **replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make**
8 **reference to this height exception; and 4) making findings including environmental**
9 **findings and findings of consistency with Planning Code Section 101.1 and the General**
10 **Plan.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are *strike-through italics Times New Roman*.
13 Board amendment additions are double-underlined;
14 Board amendment deletions are ~~strikethrough-normal~~.

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

16 Section 1. Findings. The Board of Supervisors of the City and County of San
17 Francisco hereby finds and determines that:

18 (a) The Planning Department has determined that the actions contemplated in this
19 Ordinance are in compliance with the California Environmental Quality Act (California Public
20 Resources Code sections 21000 et seq.) Said determination is on file with the Clerk of the
21 Board of Supervisors in File No. 120774 and is incorporated herein by reference.

22 (b) On September 27, 2012, the Planning Commission, in Resolution No.
23 18712 approved this legislation, recommended it for adoption by the Board of Supervisors,
24 and adopted findings that it will serve the public necessity, convenience and welfare. Pursuant
25 to Planning Code Section 302, the Board adopts these findings as its own. A copy of said

1 Resolution is on file with the Clerk of the Board of Supervisors in File No. 120774, and is
2 incorporated by reference herein.

3 (c) In Resolution No. 18712, the Planning Commission adopted findings that this
4 legislation is consistent, on balance, with the City's General Plan and the eight priority policies
5 of Planning Code Section 101.1. The Board adopts these findings as its own.
6

7 Section 2. The San Francisco Planning Code is hereby amended by amending Section
8 263.20, to read as follows:

9 **SEC. 263.20. SPECIAL HEIGHT EXCEPTION: ADDITIONAL FIVE FEET HEIGHT**
10 **FOR GROUND FLOOR USES IN NCT 30-X, 40-X AND 50-X HEIGHT AND BULK**
11 **DISTRICTS, IN NC-2 AND NC-3 DESIGNATED PARCELS FRONTING MISSION**
12 **STREET, FROM SILVER AVENUE TO THE DALY CITY BORDER, AND IN**
13 **SPECIFIED NC-1 DESIGNATED PARCELS AND IN SPECIFIED NC DISTRICTS.**

14 (a) Intent. In order to encourage generous ground floor ceiling heights for
15 commercial and other active uses, encourage additional light and air into ground floor spaces,
16 allow for walk-up ground floor residential uses to be raised slightly from sidewalk level for
17 privacy and usability of front stoops, and create better building frontage on the public street,
18 up to an additional 5' of height is allowed along major streets in NCT districts, or in specific
19 NC-3, NC-2, or NC-1 districts listed below, for buildings that feature either higher ground floor
20 ceilings for non-residential uses or ground floor residential units (that have direct walk-up
21 access from the sidewalk) raised up from sidewalk level.

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

24 (1) project is located in a 30-X, 40-X or 50-X Height and Bulk District as
25 designated on the Zoning Map;

(2) project is located:

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

1 (B) in the 24th Street-Noe Valley, Castro Street, Upper Market Street, Inner
2 Clement Street and Outer Clement Street NCDs;

3 (C) on a NC-2 or NC-3 designated parcel fronting Mission Street, from
4 Silver Avenue to the Daly City border;

5 (D) on a NC-2 designated parcel on Balboa Street between 2nd Avenue
6 and 8th Avenue, and between 32nd Avenue and 39th Avenue;

7 (E) on a NC-1 designated parcel within the boundaries of Sargent Street to
8 Orizaba Avenue to Lobos Street to Plymouth Avenue to Farallones Street to San Jose
9 Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and
10 back to Sargent Street; or

11 (F) on a NC-3 designated parcel fronting on Geary Boulevard from Masonic
12 Avenue to 28th Avenue, except for parcels on the north side of Geary Boulevard between
13 Palm Avenue and Parker Avenue;

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

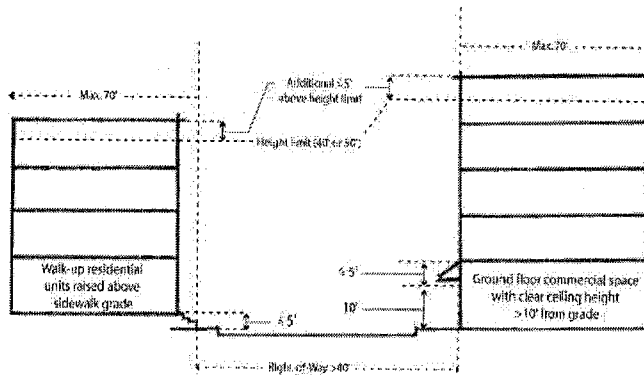
18 (4) said ground floor commercial space, active use, or walk-up residential use
19 is primarily oriented along a right-of-way wider than 40 feet;

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

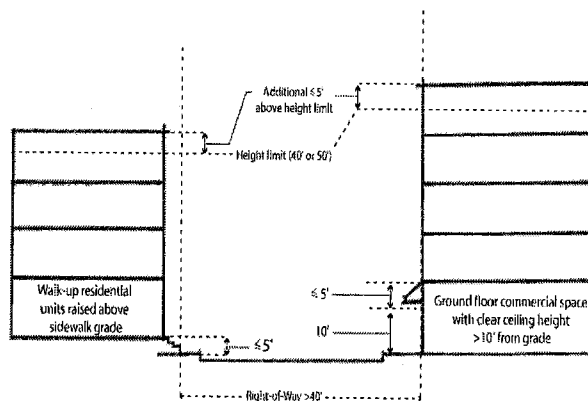
22 (6) except for projects located in NCT districts, the project sponsor has
23 conclusively demonstrated that the additional 5' increment allowed through Section 263.20
24 would not add new shadow to any public open spaces.

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

5 *Note to Publisher: Delete this Image:*



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1 Section 3. The San Francisco Planning Code is hereby amended by amending Section
2 715.1, to read as follows:

3 **SEC. 715.1. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.**

4 The Castro Street District is situated in Eureka Valley, close to the geographic center of
5 San Francisco between the Mission District, Twin Peaks, and Upper Market Street. The
6 physical form of the district is a crossing at Castro and 18th Streets, the arms of which contain
7 many small, but intensely active commercial businesses. The multi-purpose commercial
8 district provides both convenience goods to its immediate neighborhood as well as
9 comparison shopping goods and services on a specialized basis to a wider trade area.
10 Commercial businesses are active both in the daytime and late into the evening and include a
11 number of gay-oriented bars and restaurants, as well as several specialty clothing and gift
12 stores. The district also supports a number of offices in converted residential buildings.

13 The Castro Street District controls are designed to maintain existing small-scale
14 development and promote a balanced mix of uses. Building standards permit small-scale
15 buildings and uses and protect rear yards above the ground story and at residential levels. In
16 new buildings, most commercial uses are permitted at the ground and second stories. Special
17 controls are necessary to preserve the existing equilibrium of neighborhood-serving
18 convenience and specialty commercial uses. In order to maintain convenience stores and
19 protect adjacent residential livability, controls authorize some additional eating and drinking
20 establishments with a conditional use, permit self-service specialty food establishments, and
21 permit with certain limitations new late-night uses, adult and other entertainment, and financial
22 service uses. The continuous retail frontage is maintained by prohibiting most automobile and
23 drive-up uses.

24 Housing development in new buildings is encouraged above the second story. Existing
25 housing units are protected by limitations on demolitions and upper-story conversions.

1 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**
 2 **ZONING CONTROL TABLE**

			Castro Street
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
715.10	Height and Bulk Limit	§§ <u>102.12</u> , <u>105</u> , <u>106</u> , <u>250 - 252</u> , <u>260</u> , <u>261.1</u> , <u>263.20</u> , <u>270</u> , <u>271</u>	40-X, 65B; <i>additional 5 feet for parcels with active ground floor uses; see Section 263.20.</i> See <u>Zoning Map</u> Height Sculpting on Alleys: § <u>261.1</u>
715.11	Lot Size <i>[Per Development]</i>	§§ <u>121.1</u> , <u>790.56</u>	P up to 4,999 sq. ft.; C 5,000 sq. ft & above § <u>121.1</u>
715.12	Rear Yard	§§ <u>130</u> , <u>134</u> , <u>136</u>	Required at the second story and above and at all residential levels § <u>134(a) (e)</u>
715.13	Street Frontage		Required § <u>145.1</u>
715.14	Awning	§ <u>790.20</u>	P § <u>136.1(a)</u>

1	715.15	Canopy	§ <u>790.26</u>	P § <u>136.1(b)</u>
2				
3	715.16	Marquee	§ <u>790.58</u>	P § <u>136.1(c)</u>
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5	715.17	Street Trees		Required § <u>138.1</u>
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8	COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
9	715.20	Floor Area Ratio	§§ <u>102.9, 102.11,</u> <u>123</u>	3.0 to 1 § <u>124(a) (b)</u>
10				
11	715.21	Use Size <i>[Non-Residential]</i>	§ <u>790.130</u>	P to 1,999 sq. ft.; C# 2,000 sq. ft. to 3,999 sq. ft.; NP 4,000 sq. ft. & above § <u>121.2</u>
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17	715.22	Off-Street Parking, Commercial/Institutional	§§ <u>150, 153 - 157,</u> <u>159 - 160, 204.5</u>	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ <u>151, 161(g)</u>
18				
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21	715.23	Off-Street Freight Loading	§§ <u>150, 153 - 155,</u> <u>204.5</u>	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ <u>152, 161(b)</u>
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715.24	Outdoor Activity Area	§ <u>790.70</u>	P if located in front; C if located elsewhere § <u>145.2(a)</u>		
715.25	Drive-Up Facility	§ <u>790.30</u>			
715.26	Walk-Up Facility	§ <u>790.140</u>	P if recessed 3 ft.; C if not recessed § <u>145.2(b)</u>		
715.27	Hours of Operation	§ <u>790.48</u>	P 6 a.m. - 2 a.m.; C 2 a.m. - 6 a.m.		
715.30	General Advertising Sign	§§ <u>262, 602 - 604,</u> <u>608, 609</u>			
715.31	Business Sign	§§ <u>262, 602 - 604,</u> <u>608, 609</u>	P # § <u>607.1(f)2</u>		
715.32	Other Signs	§§ <u>262, 602 - 604,</u> <u>608, 609</u>	P # § <u>607.1(c) (d) (g)</u>		
No.	Zoning Category	§ References	Castro Street		
			Controls by Story		
		§ <u>790.118</u>	1st	2nd	3rd+
715.38	Residential Conversion	§ <u>790.84</u>	P	C	
715.39	Residential Demolition	§ <u>790.86</u>	P	C	C

Retail Sales and Services

715.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ <u>790.102</u>	P	P	
715.41	Bar	§ <u>790.22</u>			
715.43	Limited-Restaurant	§ <u>790.90</u>	P		
715.44	Restaurant	§ <u>790.91</u>	C		
715.45	Liquor Store	§ <u>790.55</u>	C		
715.46	Movie Theater	§ <u>790.64</u>	P		
715.47	Adult Entertainment	§ <u>790.36</u>	C		
715.48	Other Entertainment	§ <u>790.38</u>	C		
715.49	Financial Service	§ <u>790.110</u>	C	C	
715.50	Limited Financial Service	§ <u>790.112</u>	C		
715.51	Medical Service	§ <u>790.114</u>	P	P	C
715.52	Personal Service	§ <u>790.116</u>	P	P	C
715.53	Business or Professional Service	§ <u>790.108</u>	P	P	C
715.54	Massage Establishment	§ <u>790.60</u> , § <u>1900</u> Health Code	C	C	

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715.55	Tourist Hotel	§ <u>790.46</u>	C	C	C
715.56	Automobile Parking	§§ <u>790.8, 156, 160</u>	C	C	C
715.57	Automotive Gas Station	§ <u>790.14</u>			
715.58	Automotive Service Station	§ <u>790.17</u>			
715.59	Automotive Repair	§ <u>790.15</u>			
715.60	Automotive Wash	§ <u>790.18</u>			
715.61	Automobile Sale or Rental	§ <u>790.12</u>			
715.62	Animal Hospital	§ <u>790.6</u>	C		
715.63	Ambulance Service	§ <u>790.2</u>			
715.64	Mortuary	§ <u>790.62</u>			
715.65	Trade Shop	§ <u>790.124</u>	P	C	
715.66	Storage	§ <u>790.117</u>			
715.68	Fringe Financial Service	§ <u>790.111</u>			
715.69	Tobacco Paraphernalia Establishments	§ <u>790.123</u>	C		
715.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04 <u>1</u>			

1	715.69C	Neighborhood Agriculture	§ <u>102.35(a)</u>	P	P	P
2	715.69D	Large-Scale Urban	§ <u>102.35(b)</u>	C	C	C
3		Agriculture				
4	Institutions and Non-Retail Sales and Services					
5	715.70	Administrative Service	§ <u>790.106</u>			
6	715.80	Hospital or Medical	§ <u>790.44</u>			
7		Center				
8	715.81	Other Institutions, Large	§ <u>790.50</u>	P	C	C
9	715.82	Other Institutions, Small	§ <u>790.51</u>	P	P	P
10	715.83	Public Use	§ <u>790.80</u>	C	C	C
11	715.84	Medical Cannabis	§ <u>790.141</u>	P		
12		Dispensary				
13	RESIDENTIAL STANDARDS AND USES					
14	715.90	Residential Use	§ <u>790.88</u>	P	P	P
15	715.91	Residential Density, Dwelling Units	§§ <u>207, 207.1,</u> <u>790.88(a)</u>	Generally, 1 unit per 600 sq. ft. lot area § <u>207.4</u>		
16	715.92	Residential Density, Group Housing	§§ <u>207.1,</u> <u>790.88(b)</u>	Generally, 1 bedroom per 210 sq. ft. lot area § <u>208</u>		
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1 2 3 4	715.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ <u>135</u> , <u>136</u>	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § <u>135</u> (d)		
5 6 7	715.94	Off-Street Parking, Residential	§§ <u>150</u> , <u>153</u> - <u>157</u> , <u>159</u> - <u>160</u> , <u>204.5</u>	Generally, 1 space for each dwelling unit §§ <u>151</u> , <u>161</u> (a) (g)		
8 9 10	715.95	Community Residential Parking	§ <u>790.10</u>	C	C	C

11 SPECIFIC PROVISIONS FOR CASTRO STREET

12 NEIGHBORHOOD COMMERCIAL DISTRICT

13 14 15	Article 7 Code Section	Other Code Section	Zoning Controls
16 17 18 19	§ 715.31 § 715.32	§ <u>608.10</u>	UPPER MARKET STREET SPECIAL SIGN DISTRICT Boundaries: Applicable only for the portions of the Castro Street NCD as mapped on Sectional Map SSD Controls: Special restrictions and limitations for signs
20 21 22 23 24 25	§ 715.44	§ <u>790.91</u>	CASTRO STREET LIQUOR LICENSES FOR RESTAURANTS Boundaries: Applicable to the Castro Street Neighborhood Commercial District Controls: A Restaurant Use may only add ABC license types 47, 49 or 75 as a conditional use on the ground level if, in

		<p>addition to the criteria set forth in Section <u>303</u>, the Planning Commission finds that the restaurant is operating as a Bona Fide Eating Place, as defined in Section <u>790.142</u> of this Code. Should a restaurant fail to operate as a Bona Fide Eating Place for any length of time, the conditional use authorization shall be subject to immediate revocation.</p>
§ 715.68	§ <u>249.35</u>	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</p> <p>Boundaries: The FFSRUD and its 1/4 mile buffer includes, but is not limited to, the Castro Street Neighborhood Commercial District.</p> <p>Controls: Within the FFSRUD and its 1/4 mile buffer, fringe financial services are NP pursuant to Section <u>249.35</u>. Outside the FFSRUD and its 1/4 mile buffer, fringe financial services are P subject to the restrictions set forth in Subsection <u>249.35(c)(3)</u>.</p>

Section 4. The San Francisco Planning Code is hereby amended by amending Section 728.1, to read as follows:

SEC. 728.1. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.

The 24th Street – Noe Valley Neighborhood Commercial District is situated along 24th Street between Chattanooga and Diamond in the Noe Valley neighborhood of central San Francisco. This daytime-oriented, multi-purpose commercial district provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. It contains primarily retail sales and personal services at the street level, some office

1 uses on the second story, and residential use almost exclusively on the third and upper
 2 stories.

3 The 24th Street – Noe Valley District controls are designed to allow for development
 4 that is compatible with the existing small-scale, mixed-use neighborhood commercial
 5 character and surrounding residential area. The small scale of new buildings and
 6 neighborhood-serving uses is encouraged and rear yard open space corridors at all levels are
 7 protected. Most commercial uses are directed to the ground story and limited at the second
 8 story of new buildings. In order to maintain the variety and mix of retail sales and services
 9 along the commercial strip and to control the problems of traffic, congestion, noise and late-
 10 night activity, certain potentially troublesome commercial uses are regulated. Additional large
 11 fast food restaurants are prohibited, other eating and drinking establishments require
 12 conditional use authorization, and ground-story entertainment and financial service uses are
 13 restricted to and at the ground story. Prohibitions on drive-up and most automobile uses help
 14 prevent additional traffic and parking congestion.

15 Housing development in new buildings is encouraged above the ground story.
 16 Existing housing units are protected by prohibitions on upper-story conversions and limitations
 17 on demolitions.

18 **SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT**
 19 **ZONING CONTROL TABLE**

			24th Street – Noe Valley
No.	Zoning Category	§ References	Controls
BUILDING STANDARDS			
728.10	Height and Bulk Limit	§§ <u>102.12</u> , <u>105</u> , <u>106</u> ,	40-X; <i>additional 5 feet for</i>

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		<u>250 - 252, 260, 263.20, 270, 271</u>	<i>parcels with active ground floor uses; see Section 263.20.</i>
728.11	Lot Size <i>[Per Development]</i>	§§ <u>121.1, 790.56</u>	P up to 4,999 sq. ft. C 5,000 sq. ft. & above § <u>121.1</u>
728.12	Rear Yard	§§ <u>130, 134, 136</u>	Required at grade level and above § <u>134(a) (e)</u>
728.13	Street Frontage		Required § <u>145.1</u>
728.14	Awning	§ <u>790.20</u>	P § <u>136.1(a)</u>
728.15	Canopy	§ <u>790.26</u>	P § <u>136.1(b)</u>
728.16	Marquee	§ <u>790.58</u>	P § <u>136.1(c)</u>
728.17	Street Trees		Required § <u>143</u>
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
728.20	Floor Area Ratio	§§ <u>102.9, 102.11, 123</u>	1.8 to 1 § <u>124(a) (b)</u>

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728.21	Use Size <i>[Non-Residential]</i>	§ <u>790.130</u>	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § <u>121.2</u>
728.22	Off-Street Parking, Commercial/Institutional	§§ <u>150, 153 - 157, 159 - 160, 204.5</u>	Generally, none required if occupied floor area is less than 5,000 sq. ft. §§ <u>151, 161(g)</u>
728.23	Off-Street Freight Loading	§§ <u>150, 153 - 155, 204.5</u>	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ <u>152, 161(b)</u>
728.24	Outdoor Activity Area	§ <u>790.70</u>	P if located in front; C if located elsewhere § <u>145.2(a)</u>
728.25	Drive-Up Facility	§ <u>790.30</u>	
728.26	Walk-Up Facility	§ <u>790.140</u>	P if recessed 3 ft.; C if not recessed § <u>145.2(b)</u>
728.27	Hours of Operation	§ <u>790.48</u>	P 6 a.m. - 2 a.m. C 2 a.m. - 6 a.m.

728.30	General Advertising Sign	§§ <u>262, 602 - 604, 608, 609</u>	
728.31	Business Sign	§§ <u>262, 602 - 604, 608, 609</u>	P § <u>607.1(f)2</u>
728.32	Other Signs	§§ <u>262, 602 - 604, 608, 609</u>	P § <u>607.1(c) (d) (g)</u>

No.	Zoning Category	§ References	24th Street – Noe Valley		
			Controls by Story		
		§ <u>790.118</u>	1st	2nd	3rd+
728.38	Residential Conversion	§ <u>790.84</u>	P		
728.39	Residential Demolition	§ <u>790.86</u>	P	C	C
Retail Sales and Services					
728.40	Other Retail Sales and Services <i>[Not Listed Below]</i>	§ <u>790.102</u>	P	C	
728.41	Bar	§ <u>790.22</u>	C		
728.43	Limited-Restaurant	§ <u>790.90</u>	P #		
728.44	Restaurant	§ <u>790.91</u>	C #		
728.45	Liquor Store	§ <u>790.55</u>	C		

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728.46	Movie Theater	§ <u>790.64</u>	P		
728.47	Adult Entertainment	§ <u>790.36</u>			
728.48	Other Entertainment	§ <u>790.38</u>	C		
728.49	Financial Service	§ <u>790.110</u>	C		
728.50	Limited Financial Service	§ <u>790.112</u>	C		
728.51	Medical Service	§ <u>790.114</u>	P	C	
728.52	Personal Service	§ <u>790.116</u>	P	C	
728.53	Business or Professional Service	§ <u>790.108</u>	P	C	
728.54	Massage Establishment	§ <u>790.60</u> , § <u>1900</u> Health Code	C		
728.55	Tourist Hotel	§ <u>790.46</u>	C	C	
728.56	Automobile Parking	§§ <u>156, 160, 790.8</u>	C	C	C
728.57	Automotive Gas Station	§ <u>790.14</u>			
728.58	Automotive Service Station	§ <u>790.17</u>			
728.59	Automotive Repair	§ <u>790.15</u>			
728.60	Automotive Wash	§ <u>790.18</u>			

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728.61	Automobile Sale or Rental	§ <u>790.12</u>			
728.62	Animal Hospital	§ <u>790.6</u>	C		
728.63	Ambulance Service	§ <u>790.2</u>			
728.64	Mortuary	§ <u>790.62</u>			
728.65	Trade Shop	§ <u>790.124</u>	P	C	
728.66	Storage	§ <u>790.117</u>			
728.68	Fringe Financial Service	§ <u>790.111</u>	#	#	#
728.69	Tobacco Paraphernalia Establishments	§ <u>790.123</u>	C		
728.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04 <u>1</u>			
728.69C	Neighborhood Agriculture	§ <u>102.35(a)</u>	P	P	P
728.69D	Large-Scale Urban Agriculture	§ <u>102.35(b)</u>	C	C	C
Institutions and Non-Retail Sales and Services					
728.70	Administrative Service	§ <u>790.106</u>			
728.80	Hospital or Medical	§ <u>790.44</u>			

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728.81	Other Institutions, Large	§ <u>790.50</u>	P	C	C
728.82	Other Institutions, Small	§ <u>790.51</u>	P	P	P
728.83	Public Use	§ <u>790.80</u>	C	C	C
728.84	Medical Cannabis Dispensary	§ <u>790.141</u>	P		
RESIDENTIAL STANDARDS AND USES					
728.90	Residential Use	§ <u>790.88</u>	P	P	P
728.91	Residential Density, Dwelling Units	§§ <u>207, 207.1,</u> <u>790.88(a)</u>	Generally, 1 unit per 600 sq. ft. lot area § <u>207.4</u>		
728.92	Residential Density, Group Housing	§§ <u>207.1, 790.88(b)</u>	Generally, 1 bedroom per 210 sq. ft. lot area § <u>208</u>		
728.93	Usable Open Space <i>[Per Residential Unit]</i>	§§ <u>135, 136</u>	Generally, either 80 sq. ft if private, or 100 sq. ft. if common § <u>135(d)</u>		

728.94	Off-Street Parking, Residential	§§ <u>150, 153 - 157, 159 - 160, 204.5</u>	Generally, 1 space for each dwelling unit §§ <u>151, 161(a) (g)</u>		
728.95	Community Residential Parking	§ <u>790.10</u>	C	C	C

SPECIFIC PROVISIONS FOR THE 24TH STREET – NOE VALLEY

NEIGHBORHOOD COMMERCIAL DISTRICT

<u>Article 7</u> Code Section	Other Code Section	Zoning Controls
§ 728.40	§ <u>703.2(b)(1)(C)</u> § <u>790.102(b)</u> and (n)	24TH STREET – NOE VALLEY SPECIALTY RETAIL USES Boundaries: Only the area within the 24th Street – Noe Valley Neighborhood Commercial District. The controls shall not apply to NC-1 Districts or nonconforming uses within ¼ mile of this District asset forth in Code §§ <u>710.10</u> and <u>186</u> . Controls: Formula Retail Limited- Restaurants are NP.
§ 728.44	§ <u>790.91</u>	24th STREET – NOE VALLEY LIQUOR LICENSES FOR RESTAURANTS

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		<p>Boundaries: Applicable to the 24th Street – Noe Valley Neighborhood Commercial District.</p> <p>Controls: A Restaurant Use may only add ABC license types 47, 49 or 75 as a conditional use on the around level if, in addition to the criteria set forth in Section <u>303</u>, the Planning Commission finds that the restaurant is operating as a Bona Fide Eating Place, as defined in Section <u>790.142</u> of this Code. Should a restaurant fail to operate as a Bona Fide Eating Place for any length of time, the conditional use authorization shall be subject to immediate revocation.</p>
<p>§ 728.68</p>	<p>§ <u>249.35</u></p>	<p>FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT (FFSRUD)</p> <p>Boundaries: The FFSRUD and its ¼ mile buffer includes portions of, but is not limited to, the 24th Street-Noe Valley Neighborhood Commercial District.</p> <p>Controls: Within the FFSRUD and its ¼ mile buffer, fringe financial services are NP pursuant to Section <u>249.35</u>. Outside the FFSRUD and its ¼ mile buffer, fringe financial</p>

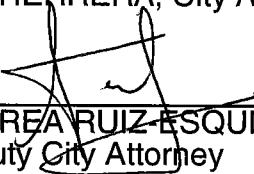
		services are P subject to the restrictions set forth in Subsection <u>249.35(c)(3)</u> .
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4 Section 5. Effective Date. This ordinance shall become effective 30 days from the
5 date of passage.
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7 Section 6. This section is uncodified. In enacting this Ordinance, the Board intends to
8 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
9 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
10 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
11 Board amendment deletions in accordance with the "Note" that appears under the official title
12 of the legislation, in addition to the replacement of the figure in Section 263.20.
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14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By:


17 ANDREA RUIZ ESQUIDE
18 Deputy City Attorney
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City and County of San Francisco
Tails
Ordinance

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

File Number: 120774

Date Passed: October 23, 2012

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

October 01, 2012 Land Use and Economic Development Committee - RECOMMENDED

October 16, 2012 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

October 23, 2012 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Excused: 1 - Chu

File No. 120774

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
10/23/2012 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

10/29/12
Date Approved