

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:

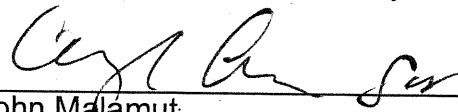
22 (a) sell any malt beverage with an alcohol content greater than 5.7% by volume; any
23 wine with an alcohol content of greater than 15% by volume, except for "dinner wines" that
24 have been aged two years or more and maintained in a corked bottle; or any distilled spirits in
25 container sizes smaller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