

1 [Planning Code - Upper Fillmore Neighborhood Commercial District]

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3 **Ordinance amending the San Francisco Planning Code by amending Section 718.1 and**
4 **Sections 718.42, 718.44, and 718.69A of the Zoning Control Table to allow new full-**
5 **service restaurants, small self-service restaurants, and self-service specialty food**
6 **establishments with conditional use authorization and to amend Section 718.41 and**
7 **add a specific provision for full-service restaurants to allow a bar in conjunction with a**
8 **full-service restaurant with conditional use authorization; adopting findings, including**
9 **environmental findings, Planning Code Section 302 findings, and findings of**
10 **consistency with the General Plan and the Priority Policies of Planning Code Section**
11 **101.1.**

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

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

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Section 1. Findings.

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(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 Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
20 Supervisors in File No. _____ and is incorporated herein by reference.

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(b) These Planning Code amendments will serve the public necessity, convenience,
22 and welfare for the reasons set forth in Planning Commission Resolution No. _____ and
23 the Board incorporates those reasons herein by reference. A copy of Planning Commission
24 Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No.
25 _____.

1 (c) These Planning Code amendments are consistent with the General Plan and
2 with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning
3 Commission Resolution No. _____, and the Board incorporates those reasons
4 herein by reference.

5 Section 2. The San Francisco Planning Code is hereby amended by amending Section
6 718.1, to read as follows:

7 SEC. 718.1. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

8 The Upper Fillmore Street Neighborhood Commercial District is situated in the south-
9 central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to
10 Bush and extends west one block along California and Pine Streets. This medium-scaled,
11 multi-purpose commercial district provides convenience goods to its immediate neighborhood
12 as well as comparison shopping goods and services on a specialized basis to a wider trade
13 area. Commercial businesses are active during both day and evening and include a number
14 of bars, restaurants, specialty groceries, and specialty clothing stores.

15 The Upper Fillmore District controls are designed to protect the existing building scale
16 and promote new mixed-use development which is in character with adjacent buildings.
17 Building standards regulate large lot and use development and protect rear yards above the
18 ground story and at residential levels. Most commercial uses are permitted at the first two
19 stories of new buildings. Special controls are designed to preserve the existing equilibrium of
20 neighborhood-serving convenience and specialty commercial uses. In order to maintain
21 convenience stores and protect adjacent livability, additional bars and large fast food restaurants
22 are prohibited, other eating and drinking establishments and self-service specialty foods require
23 conditional use authorization ~~are prohibited~~ and ground-story entertainment and financial service
24 uses are limited. In order to promote continuous retail frontage, drive-up and most automobile
25 uses are prohibited.

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

Section 3. The San Francisco Planning Code is hereby amended by amending the Zoning Control Table, to read as follows:

**SEC.718. UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE.**

No.	Zoning Category	§ References	Upper Fillmore Street Controls
BUILDING STANDARDS			
718.10	Height and Bulk Limit	§§ 102.12, 105, 106, 250—252, 260, 270, 271	40-X
718.11	Lot Size [Per Development]	§§ 790.56, 121.1	P up to 4,999 sq. ft.; C 5,000 sq. ft. & above § 121.1
718.12	Rear Yard	§§ 130, 134, 136	Required at the second story and above and at all residential levels § 134(a) (e)
718.13	Street Frontage		Required § 145.1
718.14	Awning	§ 790.20	P § 136.1(a)
718.15	Canopy	§ 790.26	P § 136.1(b)
718.16	Marquee	§ 790.58	P § 136.1(c)
718.17	Street Trees		Required § 143
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
718.20	Floor Area Ratio	§§ 102.9, 102.11, 123	2.5 to 1 § 124(a) (b)
718.21	Use Size [Non-Residential]	§ 790.130	P up to 2,499 sq. ft.; C 2,500 sq. ft. & above § 121.2
718.22	Off-Street Parking,	§§ 150, 153—157, 159—	Generally, none required if

	Commercial/Institutional	160, 204.5	occupied floor area is less than 5,000 sq. ft. §§ 151, 161(g)
718.23	Off-Street Freight Loading	§§ 150, 153—155, 204.5	Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)
718.24	Outdoor Activity Area	§ 790.70	P if located in front; C if located elsewhere § 145.2(a)
718.25	Drive-Up Facility	§ 790.30	
718.26	Walk-Up Facility	§ 790.140	P if recessed 3 ft.; C if not recessed § 145.2(b)
718.27	Hours of Operation	§ 790.48	P 6 a.m.—2 a.m.; C 2 a.m.—6 a.m.
718.30	General Advertising Sign	§§ 262, 602—604, 608, 609	
718.31	Business Sign	§§ 262, 602—604, 608, 609	P § 607.1(f) 2
718.32	Other Signs	§§ 262, 602—604, 608, 609	P § 607.1(c) (d) (g)

No.	Zoning Category	§ References	Upper Fillmore Street Controls by Story		
			1st	2nd	3rd+
		§ 790.118			
718.38	Residential Conversion	§ 790.84	P	C	
718.39	Residential Demolition	§ 790.86	P	C	C
Retail Sales and Services					
718.40	Other Retail Sales and Services [Not Listed Below]	§ 790.102	P	P	
718.41	Bar	§ 790.22	<u>C#</u>		
718.42	Full-Service Restaurant	§ 790.92	<u>C</u>		
718.43	Large Fast Food Restaurant	§ 790.90			
718.44	Small Self-Service Restaurant	§ 790.91	<u>C</u>		
718.45	Liquor Store	§ 790.55	C		
718.46	Movie Theater	§ 790.64	P		
718.47	Adult Entertainment	§ 790.36			
718.48	Other Entertainment	§ 790.38	C		
718.49	Financial Service	§ 790.110	C		

1	718.50	Limited Financial Service	§ 790.112	C		
	718.51	Medical Service	§ 790.114	P	P	
2	718.52	Personal Service	§ 790.116	P	P	
3	718.53	Business or Professional Service	§ 790.108	P	P	
4	718.54	Massage Establishment	§ 790.60, § 1900 Health Code	C		
5	718.55	Tourist Hotel	§ 790.46	C	C	C
6	718.56	Automobile Parking	§§ 790.8, 156, 160	C	C	C
7	718.57	Automotive Gas Station	§ 790.14			
8	718.58	Automotive Service Station	§ 790.17			
9	718.59	Automotive Repair	§ 790.15			
10	718.60	Automotive Wash	§ 790.18			
	718.61	Automobile Sale or Rental	§ 790.12			
11	718.62	Animal Hospital	§ 790.6	C		
	718.63	Ambulance Service	§ 790.2			
12	718.64	Mortuary	§ 790.62			
13	718.65	Trade Shop	§ 790.124	P		
	718.66	Storage	§ 790.117			
14	718.67	Video Store	§ 790.135	C	C	
15	718.68	Fringe Financial Service	§ 790.111			
16	718.69	Tobacco Paraphernalia Establishments	§ 790.123	C		
17	718.69A	Self-Service Specialty Food	§ 790.93	<u>C</u>		
18	718.69B	Amusement Game Arcade (Mechanical Amusement Devices)	§ 790.04			
19	Institutions and Non-Retail Sales and Services					
20	718.70	Administrative Service	§ 790.106			
	718.80	Hospital or Medical Center	§ 790.44			
21	718.81	Other Institutions, Large	§ 790.50	P	C	C
22	718.82	Other Institutions, Small	§ 790.51	P	P	P
	718.83	Public Use	§ 790.80	C	C	C
23	718.84	Medical Cannabis Dispensary	§ 790.141	P		
24	718.85	Philanthropic Administrative Services	§ 790.107	P	P	P
25	RESIDENTIAL STANDARDS AND USES					

1	718.90	Residential Use	§ 790.88	P	P	P
2	718.91	Residential Density, Dwelling Units	§§ 207, 207.1, 790.88(a)	Generally, 1 unit per 600 sq. ft. lot area § 207.4		
3	718.92	Residential Density, Group Housing	§§ 207.1, 790.88(b)	Generally, 1 bedroom per 210 sq. ft. lot area § 208		
4	718.93	Usable Open Space [Per Residential Unit]	§§ 135, 136	Generally, either 80 sq. ft. if private, or 100 sq. ft. if common § 135(d)		
5	718.94	Off-Street Parking, Residential	§§ 150, 153—157, 159—160, 204.5	Generally, 1 space for each dwelling unit §§ 151, 161(a) (g)		
6	718.95	Community Residential Parking	§ 790.10	C	C	C

SPECIFIC PROVISIONS FOR THE UPPER FILLMORE

NEIGHBORHOOD COMMERCIAL DISTRICT

Article 7

Other Code

Code Section

Section

Zoning Controls

§ 719.41

§ 790.22

Boundaries: Applicable for the Upper Fillmore NCD.

Controls: A new bar will be allowed with a conditional use authorization from the Planning Commission only in conjunction with a full-service restaurant use.

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

By: _____
JUDITH A. BOYAJIAN
Deputy City Attorney